

House File 417 - Reprinted

HOUSE FILE 417
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 161)

(As Amended and Passed by the House March 11, 2013)

A BILL FOR

1 An Act relating to nonsubstantive Code corrections.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

MISCELLANEOUS CHANGES

Section 1. Section 8.6, subsection 8, Code 2013, is amended to read as follows:

8. *Rules.* To make such rules, subject to the approval of the governor, as may be necessary for effectively carrying on the work of the department of management. The director may, with the approval of the executive council, require any state official, agency, department, or commission, to require any applicant, registrant, filer, permit holder, or license holder, whether individual, partnership, trust, or corporation, to submit to said official, agency, department, or commission, the social security number or the tax number or both so assigned to said individual, partnership, trust, or corporation.

Sec. 2. Section 8.32, Code 2013, is amended to read as follows:

8.32 Conditional availability of appropriations.

1. All appropriations made to any department or establishment of the government as receive or collect moneys available for expenditure by them under present laws, are declared to be in addition to such repayment receipts, and such appropriations are to be available as and to the extent that such receipts are insufficient to meet the costs of administration, operation, and maintenance, or public improvements of such departments:

a. Provided, that such receipts or collections shall be deposited in the state treasury as part of the general fund or special funds in all cases, except those collections made by the state fair board, the institutions under the state board of regents, and the natural resource commission.

b. Provided further, that no repayment receipts shall be available for expenditures until allotted as provided in section 8.31; and

c. Provided further, that the collection of repayment receipts by the state fair board and the institutions under

1 the state board of regents shall be deposited in a bank or
 2 banks duly designated and qualified as state depositories, in
 3 the name of the state of Iowa, for the use of such boards and
 4 institutions, and such funds shall be available only on the
 5 check of such boards or institutions depositing them, which
 6 are hereby authorized to withdraw such funds, but only after
 7 allotment by the governor as provided in section 8.31; and
 8 d. Provided further, that this chapter shall not apply to
 9 endowment or private trust funds or to gifts to institutions
 10 owned or controlled by the state or to the income from such
 11 endowment or private trust funds, or to private funds belonging
 12 to students or inmates of state institutions.

13 2. The provisions of this chapter shall not be construed
 14 to prohibit the state fair board from creating an emergency
 15 or sinking fund out of the receipts of the state fair and
 16 state appropriation for the purpose of taking care of any
 17 emergency that might arise beyond the control of the board
 18 of not to exceed three hundred thousand dollars. Neither
 19 shall this chapter be construed to prohibit the state fair
 20 board from retaining an additional sum of not to exceed three
 21 hundred fifty thousand dollars to be used in carrying out the
 22 provisions of chapter 173.

23 Sec. 3. Section 8D.5, subsection 1, Code 2013, is amended
 24 to read as follows:

25 1. a. An education telecommunications council is
 26 established. The council consists of eighteen members and
 27 shall include the following: ~~two~~

28 (1) Two persons appointed by the state board of regents;
 29 ~~two.~~

30 (2) Two persons appointed by the Iowa association of
 31 community college trustees; ~~two.~~

32 (3) Two persons appointed by the area education agency
 33 boards; ~~two.~~

34 (4) Two persons appointed by the Iowa association of school
 35 boards; ~~two.~~

1 (5) Two persons appointed by the school administrators of
2 Iowa; ~~two~~.

3 (6) Two persons appointed by the Iowa association of
4 independent colleges and universities; ~~two~~.

5 (7) Two persons appointed by the Iowa state education
6 association; ~~three~~.

7 (8) Three persons appointed by the director of the
8 department of education including one person representing
9 libraries and one person representing the Iowa association of
10 nonpublic school administrators; ~~and one~~.

11 (9) One person appointed by the administrator of the public
12 broadcasting division of the department of education.

13 b. The council shall establish scheduling and site usage
14 policies for educational users of the network, coordinate the
15 activities of the regional telecommunications councils, and
16 develop proposed rules and changes to rules for recommendation
17 to the commission. The council shall also recommend long-range
18 plans for enhancements needed for educational applications.

19 c. Administrative support and staffing for the council shall
20 be provided by the department of education.

21 Sec. 4. Section 15.107, subsection 5, paragraph a, Code
22 2013, is amended to read as follows:

23 a. That the corporation ~~review~~ reviews and, at the board's
24 direction, ~~implement~~ implements the applicable portions of the
25 strategic plan developed by members of the authority pursuant
26 to section 15.105.

27 Sec. 5. Section 16.6, subsection 2, Code 2013, is amended
28 to read as follows:

29 2. The executive director shall advise the authority on
30 matters relating to housing and housing finance, carry out
31 all directives from the authority, and hire and supervise the
32 authority's staff pursuant to its directions. All employees
33 of the authority are exempt from the merit system provisions
34 of chapter 8A, subchapter IV.

35 Sec. 6. Section 16.27, subsection 4, Code 2013, is amended

1 to read as follows:

2 4. The authority shall cause to be delivered to the
3 legislative fiscal committee within ninety days of the close of
4 its fiscal year its annual report certified by an independent
5 certified public accountant, ~~{who may be the accountant or~~
6 ~~a member of the firm of accountants who regularly audits~~
7 ~~the books and accounts of the authority}~~, selected by the
8 authority.

9 Sec. 7. Section 24.2, subsection 3, Code 2013, is amended
10 to read as follows:

11 3. The words "*fiscal year*" shall mean the period of twelve
12 months beginning on July 1 and ending on the thirtieth day of
13 June. The fiscal year of cities, counties, and other political
14 subdivisions of the state shall begin July 1 and end the
15 following June 30.

16 ~~The fiscal year of cities, counties, and other political~~
17 ~~subdivisions of the state shall begin July 1 and end the~~
18 ~~following June 30.~~

19 Sec. 8. Section 28A.24, Code 2013, is amended to read as
20 follows:

21 **28A.24 Exemption from taxation.**

22 Since an authority is performing essential governmental
23 functions, an authority is not required to pay any taxes or
24 assessments of any kind or nature upon any property required
25 or used by it for its purposes, or any rates, fees, rentals,
26 receipts, or incomes at any time received by it, and the
27 bonds issued by an authority, their transfer, and the income,
28 including any profits made on the sale of the bonds, is
29 deductible in determining net income for the purposes of the
30 state individual and corporate income tax under chapter 422,
31 ~~divisions II and III of chapter 422,~~ and shall not be taxed by
32 any political subdivision of this state.

33 Sec. 9. Section 28E.2, Code 2013, is amended to read as
34 follows:

35 **28E.2 Definitions.**

1 For the purposes of this chapter, ~~the term "public agency":~~

2 1. "Private agency" shall mean an individual and any form of
3 business organization authorized under the laws of this or any
4 other state.

5 2. "Public agency" shall mean any political subdivision of
6 this state; any agency of the state government or of the United
7 States; and any political subdivision of another state. The
8 term "state"

9 3. "State" shall mean a state of the United States and the
10 District of Columbia. The term "private agency" shall mean an
11 individual and any form of business organization authorized
12 under the laws of this or any other state.

13 Sec. 10. Section 29A.15, Code 2013, is amended to read as
14 follows:

15 **29A.15 State awards and decorations.**

16 The adjutant general, from the funds appropriated for the
17 support and maintenance of the national guard, shall procure
18 and issue to the members of the national guard merit or
19 service badges or other appropriate awards for service under
20 regulations and according to the design and pattern determined
21 by the adjutant general. Members of the national guard who,
22 by order of the president, serve in federal forces during a
23 national emergency, may count the period of that federal active
24 duty toward the procurement of a service badge.

25 Sec. 11. Section 29C.17, subsection 2, unnumbered paragraph
26 1, Code 2013, is amended to read as follows:

27 For the purposes consistent with this chapter, the local
28 emergency management agency's approved budget shall be
29 funded by one or any combination of the following options, as
30 determined by the commission:

31 Sec. 12. Section 34A.6, subsection 1, Code 2013, is amended
32 to read as follows:

33 1. Before a joint E911 service board may request imposition
34 of the wire-line E911 service surcharge by the program manager,
35 the board shall submit the following question to voters, as

1 provided in subsection 2, in the proposed E911 service area,
2 and the question shall receive a favorable vote from a simple
3 majority of persons submitting valid ballots on the following
4 question within the proposed E911 service area:

5 Shall the following public measure be adopted?

6 YES

7 NO

8 Enhanced 911 emergency telephone service shall be funded,
9 in whole or in part, by a monthly surcharge of (an amount
10 determined by the local joint E911 service board of up to one
11 dollar) on each telephone access line collected as part of each
12 telephone subscriber's monthly phone bill if provided within
13 (description of the proposed E911 service area).

14 Sec. 13. Section 34A.7A, subsection 2, paragraph b, Code
15 2013, is amended to read as follows:

16 b. The program manager shall reimburse ~~communication~~
17 communications service providers on a calendar quarter basis
18 for carriers' eligible expenses for transport costs between the
19 selective router and the public safety answering points related
20 to the delivery of wireless E911 phase 1 services.

21 Sec. 14. Section 49.80, subsection 2, Code 2013, is amended
22 to read as follows:

23 2. a. In case of any challenges of an elector at the
24 time the person is offering to vote in a precinct, a precinct
25 election official may place such person under oath and question
26 the person as, ~~(a) where~~ to the following:

27 (1) Where the person maintains the person's home; ~~(b) how.~~

28 (2) How long the person has maintained the person's home at
29 such place; ~~(c) if.~~

30 (3) If the person maintains a home at any other location;
31 ~~(d) the.~~

32 (4) The person's age.

33 b. The precinct election official may permit the challenger
34 to participate in such questions. The challenged elector shall
35 be allowed to present to the official such evidence and facts

1 as the elector feels sustains the fact that the person is
2 qualified to vote. Upon completion thereof, if the challenge
3 is withdrawn, the elector may cast the vote in the usual
4 manner. If the challenge is not withdrawn, section 49.81 shall
5 apply.

6 Sec. 15. Section 50.20, Code 2013, is amended to read as
7 follows:

8 **50.20 Notice of number of provisional ballots.**

9 The commissioner shall compile a list of the number of
10 provisional ballots cast under section 49.81 in each precinct.
11 The list shall be made available to the public as soon as
12 possible, but in no case later than ~~nine o'clock~~ 9:00 a.m. on
13 the second day following the election. Any elector may examine
14 the list during normal office hours, and may also examine the
15 affidavit envelopes bearing the ballots of challenged electors
16 until the reconvening of the special precinct board as required
17 by this chapter. Only those persons so permitted by section
18 53.23, subsection 4, shall have access to the affidavits while
19 that board is in session. Any elector may present written
20 statements or documents, supporting or opposing the counting of
21 any provisional ballot, at the commissioner's office until the
22 reconvening of the special precinct board.

23 Sec. 16. Section 53.45, subsection 1, paragraph a,
24 unnumbered paragraph 1, Code 2013, is amended to read as
25 follows:

26 As provided in this section, the commissioner shall
27 provide special absentee ballots to be used for state general
28 elections. A special absentee ballot shall only be provided to
29 an eligible elector who completes an application stating both
30 of the following to the best of the eligible elector's belief:

31 Sec. 17. Section 68A.604, Code 2013, is amended to read as
32 follows:

33 **68A.604 Funds.**

34 Any candidate for a partisan public office, except as
35 otherwise provided by section 68A.103, subsection 2, may

1 receive campaign funds from the Iowa election campaign
2 fund through the state central committee of the candidate's
3 political party. However, the state central committee of
4 each political party shall have discretion as to which of
5 the party's candidates for public office shall be allocated
6 campaign funds out of money received by that party from the
7 Iowa election campaign fund.

8 Sec. 18. Section 88.8, subsection 2, Code 2013, is amended
9 to read as follows:

10 2. *Noncompliance notice.* If the commissioner has reason to
11 believe that an employer has failed to correct the violation
12 for which a citation has been issued within the period
13 permitted for its correction, ~~{~~which period shall not begin to
14 run until the entry of a final order by the appeal board in the
15 case of any review proceedings under this section initiated
16 by the employer in good faith and not solely for delay or
17 avoidance of penalties~~}~~, the commissioner shall notify the
18 employer by service in the same manner as an original notice or
19 by certified mail of the failure and of the penalty proposed
20 to be assessed under section 88.14 by reason of the failure,
21 and that the employer has fifteen working days within which to
22 notify the commissioner that the employer wishes to contest
23 the commissioner's notification or the proposed assessment of
24 penalty. If, within fifteen working days from the receipt
25 of notification issued by the commissioner, the employer
26 fails to notify the commissioner that the employer intends to
27 contest the notification or proposed assessment of penalty, the
28 notification and assessment, as proposed, shall be deemed the
29 final order of the appeal board and not subject to review by
30 any court or agency.

31 Sec. 19. Section 88.19, Code 2013, is amended to read as
32 follows:

33 **88.19 Annual report.**

34 Within one hundred twenty days following the convening
35 of each session of each general assembly, the commissioner

1 shall prepare and submit to the governor for transmittal to
2 the general assembly a report upon the subject matter of
3 this chapter, the progress toward achievement of the purpose
4 of this chapter, the needs and requirements in the field
5 of occupational safety and health, and any other relevant
6 information. ~~Such~~ The reports may include information
7 regarding ~~occupational~~ the following:

8 1. Occupational safety and health standards, and criteria
9 for such standards, developed during the preceding year;
10 evaluation.

11 2. Evaluation of standards and criteria previously
12 developed under this chapter, defining areas of emphasis for
13 new criteria and standards; ~~evaluation.~~

14 3. Evaluation of the degree of observance of applicable
15 occupational safety and health standards, and a summary of
16 inspection and enforcement activity undertaken; ~~analysis.~~

17 4. Analysis and evaluation of research activities for
18 which results have been obtained under governmental and
19 nongovernmental sponsorship; ~~an.~~

20 5. An analysis of major occupational diseases; ~~evaluation.~~

21 6. Evaluation of available control and measurement
22 technology for hazards for which standards or criteria have
23 been developed during the preceding year; ~~a.~~

24 7. A description of cooperative efforts undertaken between
25 government agencies and other interested parties in the
26 implementation of this chapter during the preceding year; ~~a.~~

27 8. A progress report on the development of an adequate
28 supply of trained personnel in the field of occupational safety
29 and health, including estimates of future needs and the efforts
30 being made by government and others to meet those needs; ~~a.~~

31 9. A listing of all toxic substances in industrial usage for
32 which labeling requirements, criteria, or standards have not
33 yet been established; ~~and such.~~

34 10. Such recommendations for additional legislation as are
35 deemed necessary to protect the safety and health of the worker

1 and improve the administration of this chapter.

2 Sec. 20. Section 96.13, subsection 2, Code 2013, is amended
3 to read as follows:

4 2. *Replenishment of lost funds.* If any moneys received
5 after June 30, 1941, from the social security ~~board~~
6 administration under Tit. III of the Social Security Act, or
7 any unencumbered balances in the unemployment compensation
8 administration fund as of that date, or any moneys granted
9 after that date to this state pursuant to the provisions
10 of the Wagner-Peyser Act, or any moneys made available by
11 this state or its political subdivisions and matched by such
12 moneys granted to this state pursuant to the provisions of
13 the Wagner-Peyser Act, are found by the social security ~~board~~
14 administration, because of any action or contingency, to
15 have been lost or been expended for purposes other than or
16 in amounts in excess of, those found necessary by the social
17 security ~~board~~ administration for the proper administration of
18 this chapter, it is the policy of this state that such moneys
19 shall be replaced by moneys appropriated for such purpose
20 from the general funds of this state to the unemployment
21 compensation administration fund for expenditure as provided
22 in subsection 1 of this section. Upon receipt of notice of
23 such a finding by the social security ~~board~~ administration,
24 the department shall promptly report the amount required for
25 such replacement to the governor and the governor shall at
26 the earliest opportunity, submit to the legislature a request
27 for the appropriation of such amount. This subsection shall
28 not be construed to relieve this state of its obligation with
29 respect to funds received prior to July 1, 1941, pursuant to
30 the provisions of Tit. III of the Social Security Act.

31 Sec. 21. Section 97C.12, Code 2013, is amended to read as
32 follows:

33 **97C.12 Contribution fund.**

34 1. There is hereby established in the office of the
35 treasurer of state a special fund to be known as the

1 contribution fund. Such fund shall consist of, and there shall
2 be deposited in such fund: ~~(1) all~~

3 a. All taxes, interest, and penalties collected under
4 sections 97C.5, 97C.10, and 97C.11; ~~(2) all.~~

5 b. All moneys appropriated thereto under this chapter; ~~(3)~~
6 any.

7 c. Any property or securities and earnings thereof acquired
8 through the use of moneys belonging to the fund; ~~(4) interest.~~

9 d. Interest earned upon any moneys in the fund; ~~and (5) all.~~

10 e. All sums recovered upon the bond of the custodian or
11 otherwise for losses sustained by the fund and all other moneys
12 received for the fund from any other source.

13 2. Subject to the provisions of this chapter, the state
14 agency is vested with full power, authority and jurisdiction
15 over the fund, including all moneys and property or securities
16 belonging thereto, and may perform any and all acts whether
17 or not specifically designated, which are necessary to the
18 administration thereof and are consistent with the provisions
19 of this chapter. All moneys in this fund shall be mingled and
20 undivided.

21 Sec. 22. Section 123.30, subsection 2, Code 2013, is amended
22 to read as follows:

23 2. No A liquor control license shall not be issued
24 for premises which do not conform to all applicable laws,
25 ordinances, resolutions, and health and fire regulations. Nor
26 shall any A licensee shall not have or maintain any interior
27 access to residential or sleeping quarters unless permission is
28 granted by the administrator in the form of a living quarters
29 permit.

30 Sec. 23. Section 123.50, subsection 1, Code 2013, is amended
31 to read as follows:

32 1. Any person who violates any of the provisions of section
33 123.49, except section 123.49, subsection 2, paragraph "h",
34 or who fails to affix upon sale, defaces, or fails to record
35 a keg identification sticker or produce a record of keg

1 identification stickers pursuant to section 123.138, shall
2 be guilty of a simple misdemeanor. A person who violates
3 section 123.49, subsection 2, paragraph "h", commits a simple
4 misdemeanor punishable as a scheduled violation under section
5 805.8C, subsection 2.

6 Sec. 24. Section 123.145, Code 2013, is amended to read as
7 follows:

8 **123.145 Labels on bottles, barrels, etc. — conclusive**
9 **evidence.**

10 The label on any bottle, keg, barrel, or other container in
11 which beer is offered for sale in this state, representing the
12 alcoholic content of such beer as being in excess of five ~~per~~
13 ~~centum~~ percent by weight shall be conclusive evidence as to the
14 alcoholic content of the beer contained therein.

15 Sec. 25. Section 124.401, subsection 1, paragraph d, Code
16 2013, is amended to read as follows:

17 *d.* Violation of this subsection, with respect to any other
18 controlled substances, counterfeit substances, or simulated
19 controlled substances classified in section 124.204, subsection
20 4, paragraph "ai", or section 124.204, subsection 6, paragraph
21 "i", or classified in schedule IV or V is an aggravated
22 misdemeanor. However, violation of this subsection involving
23 fifty kilograms or less of marijuana or involving flunitrazepam
24 is a class "D" felony.

25 Sec. 26. Section 126.11, subsection 3, paragraph b, Code
26 2013, is amended to read as follows:

27 *b.* A drug dispensed by filling or refilling a written,
28 electronic, facsimile, or oral prescription of a practitioner
29 licensed by law to administer the drug is exempt from section
30 126.10, except section 126.10, subsection 1, paragraph "a"
31 ~~and~~, section 126.10, paragraph "i", subparagraphs (2) and
32 (3), and section 126.10, subsection 1, paragraphs "k" and "l",
33 and the packaging requirements of section 126.10, subsection
34 1, paragraphs "g", "h", and "p", if the drug bears a label
35 containing the name and address of the dispenser, the date of

1 the prescription or of its filling, the name of the prescriber,
2 and, if stated in the prescription, the name of the patient,
3 and the directions for use and cautionary statements, if
4 any, contained in the prescription. This exemption does not
5 apply to a drug dispensed in the course of the conduct of the
6 business of dispensing drugs pursuant to diagnosis by mail,
7 or to a drug dispensed in violation of paragraph "a" of this
8 subsection.

9 Sec. 27. Section 135.74, subsection 2, Code 2013, is amended
10 to read as follows:

11 2. In establishing uniform methods of financial reporting,
12 the department shall consider all of the following:

13 a. The existing systems of accounting and reporting
14 currently utilized by hospitals and health care facilities~~;~~.

15 b. Differences among hospitals and health care facilities,
16 respectively, according to size, financial structure, methods
17 of payment for services, and scope, type and method of
18 providing services~~;~~and.

19 c. Other pertinent distinguishing factors.

20 Sec. 28. Section 135.75, subsection 1, Code 2013, is amended
21 to read as follows:

22 1. Each hospital and each health care facility shall
23 annually, after the close of its fiscal year, file all of the
24 following with the department:

25 a. A balance sheet detailing the assets, liabilities and net
26 worth of the hospital or health care facility~~;~~.

27 b. A statement of its income and expenses~~;~~and.

28 c. Such other reports of the costs incurred in rendering
29 services as the department may prescribe.

30 Sec. 29. Section 135.83, Code 2013, is amended to read as
31 follows:

32 **135.83 Contracts for assistance with analyses, studies, and**
33 **data.**

34 In furtherance of the department's responsibilities under
35 sections 135.76 and 135.78, the director may contract with the

1 Iowa hospital association and third-party payers, the Iowa
 2 health care facilities association and third-party payers, or
 3 ~~the Iowa association of homes for the aging~~ leading age Iowa
 4 and third-party payers for the establishment of pilot programs
 5 dealing with prospective rate review in hospitals or health
 6 care facilities, or both. Such contract shall be subject to
 7 the approval of the executive council and shall provide for an
 8 equitable representation of health care providers, third-party
 9 payers, and health care consumers in the determination
 10 of criteria for rate review. No third-party payer shall
 11 be excluded from positive financial incentives based upon
 12 volume of gross patient revenues. No state or federal funds
 13 appropriated or available to the department shall be used for
 14 any such pilot program.

15 Sec. 30. Section 135.156, subsection 2, paragraph b,
 16 unnumbered paragraph 1, Code 2013, is amended to read as
 17 follows:

18 An executive committee of the ~~electronic health information~~
 19 advisory council is established. Members of the executive
 20 committee of the advisory council shall receive reimbursement
 21 for actual expenses incurred while serving in their official
 22 capacity only if they are not eligible for reimbursement by
 23 the organization that they represent. The executive committee
 24 shall consist of the following members:

25 Sec. 31. Section 135.156B, subsections 5 and 8, Code 2013,
 26 are amended to read as follows:

27 5. Apply for, acquire by gift or purchase, and hold,
 28 dispense, or dispose of funds and real or personal property
 29 from any person, governmental entity, or organization in the
 30 exercise of ~~its~~ the department's powers or performance of ~~its~~
 31 the department's duties in accordance with this division.

32 8. Execute all instruments necessary or incidental to the
 33 performance of ~~its~~ the department's duties and the execution of
 34 ~~its~~ the department's powers under this division.

35 Sec. 32. Section 135C.2, subsection 5, paragraph a, Code

1 2013, is amended to read as follows:

2 a. A facility provider under the special classification
3 must comply with rules adopted by the department for the
4 special classification. However, a facility provider which has
5 been accredited by the ~~accreditation~~ council ~~for services to~~
6 ~~persons with an intellectual disability and other developmental~~
7 ~~disabilities~~ on quality and leadership shall be deemed to be in
8 compliance with the rules adopted by the department.

9 Sec. 33. Section 135C.6, subsection 3, Code 2013, is amended
10 to read as follows:

11 3. No change in a health care facility, its operation,
12 program, or services, of a degree or character affecting
13 continuing ~~licensability~~ licensure shall be made without prior
14 approval thereof by the department. The department may by rule
15 specify the types of changes which shall not be made without
16 its prior approval.

17 Sec. 34. Section 135C.6, subsection 8, paragraph c,
18 unnumbered paragraph 1, Code 2013, is amended to read as
19 follows:

20 A residential program approved by the department of human
21 services pursuant to this paragraph "c" to receive moneys
22 appropriated to the department of human services under
23 provisions of a federally approved home and community-based
24 services waiver for persons with an intellectual ~~disabilities~~
25 disability may provide care to not more than five individuals.
26 The department shall approve a residential program under this
27 paragraph that complies with all of the following conditions:

28 Sec. 35. Section 138.13, subsection 2, paragraph m, Code
29 2013, is amended to read as follows:

30 m. When a camp is operated during a season requiring
31 artificial heating, living quarters with a minimum of one
32 hundred square feet per occupant shall be provided and such
33 living quarters or shelters shall, also, be provided with
34 properly installed heating equipment of adequate capacity
35 to maintain a room temperature of at least 70 degrees F

1 Fahrenheit. A stove or other source of heat shall be installed
 2 and vented in a manner to avoid both a fire hazard and a
 3 concentration of fumes or gas within such living quarters and
 4 shelters. In a room with wooden or combustible flooring, there
 5 shall be a concrete slab, metal sheet, or other fire-resistant
 6 material, on the floor under each stove, extending at least
 7 eighteen inches beyond the perimeter of the base of the stove.
 8 Any wall or ceiling not having a fire-resistant surface, within
 9 twenty-four inches of a stove or stovepipe, shall be protected
 10 by a metal sheet or other fire-resistant material. Heating
 11 appliances, other than electrical, shall be provided with a
 12 stovepipe or vent connected to the appliance and discharging to
 13 the outside air or chimney. The vent or chimney shall extend
 14 above the peak of the roof. Stovepipes shall be insulated
 15 with fire-resistant material where they pass through walls,
 16 ceilings, or floors.

17 Sec. 36. Section 138.13, subsection 6, paragraph d, Code
 18 2013, is amended to read as follows:

19 *d.* Every service building used during periods requiring
 20 artificial heating shall be provided with equipment capable
 21 of maintaining a room temperature of at least 70 degrees F
 22 Fahrenheit.

23 Sec. 37. Section 144A.2, subsection 8, Code 2013, is amended
 24 to read as follows:

25 8. *a.* "*Life-sustaining procedure*" means any medical
 26 procedure, treatment, or intervention, including resuscitation,
 27 which meets both of the following requirements:

28 *a.* (1) Utilizes mechanical or artificial means to sustain,
 29 restore, or supplant a spontaneous vital function.

30 *b.* (2) When applied to a patient in a terminal condition,
 31 would serve only to prolong the dying process.

32 *b.* "*Life-sustaining procedure*" does not include the
 33 provision of nutrition or hydration except when required
 34 to be provided parenterally or through intubation or the
 35 administration of medication or performance of any medical

1 procedure deemed necessary to provide comfort care or to
2 alleviate pain.

3 Sec. 38. Section 163.26, Code 2013, is amended to read as
4 follows:

5 **163.26 Definition.**

6 For the purposes of this subchapter, "*garbage*" means
7 putrescible animal and vegetable wastes resulting from the
8 handling, preparation, cooking, and consumption of foods,
9 including animal carcasses or parts. "*Garbage*" includes all
10 waste material, by-products of a kitchen, restaurant, hotel,
11 or slaughterhouse, every refuse accumulation of animal,
12 fruit, or vegetable matter, liquids or otherwise, or grain not
13 consumed, that is collected from hog sales pen floors in public
14 stockyards. Animals or parts of animals, which are processed
15 by slaughterhouses or rendering establishments, and which as
16 part of the processing are heated to not less than 212 degrees
17 ~~F.~~ Fahrenheit for thirty minutes, are not garbage for purposes
18 of this chapter.

19 Sec. 39. Section 176A.10, subsection 2, Code 2013, is
20 amended to read as follows:

21 2. An extension council of an extension district may choose
22 to be subject to the levy and revenue limits specified in
23 subparagraphs (2) of subsection 1, paragraphs "*a*" through
24 "*d*", and subsection 1, paragraph "*e*", for the purpose of the
25 annual levy for the fiscal year commencing July 1, 1991, which
26 levy is payable in the fiscal year beginning July 1, 1992.
27 Before an extension district may be subject to the levy and
28 revenue limits specified in subparagraphs (2) of subsection 1,
29 paragraphs "*a*" through "*d*", and subsection 1, paragraph "*e*",
30 for fiscal years beginning on or after July 1, 1992, which levy
31 is payable in fiscal years beginning on or after July 1, 1993,
32 the question of whether the district shall be subject to the
33 levy and revenue limits as specified in such paragraphs must
34 be submitted to the registered voters of the district. The
35 question shall be submitted at the time of a ~~state~~ general

1 election. If the question is approved by a majority of those
 2 voting on the question the levy and revenue limits specified in
 3 subparagraphs (2) of subsection 1, paragraphs "a" through "d",
 4 and subsection 1, paragraph "e", shall thereafter apply to the
 5 extension district. The question need only be approved at one
 6 state general election. If a majority of those voting on the
 7 question vote against the question, the district may continue
 8 to submit the question at subsequent state general elections
 9 until approved.

10 Sec. 40. Section 189A.11, Code 2013, is amended to read as
 11 follows:

12 **189A.11 Access by inspectors — acceptance by state agencies.**

13 1. ~~No~~ A person shall not deny access to any authorized
 14 inspectors upon the presentation of proper identification at
 15 any reasonable time to establishments and to all parts of such
 16 premises for the purposes of making inspections under this
 17 chapter.

18 2. When meat has been inspected and approved by the
 19 department, such inspection will be equal to federal inspection
 20 and therefore may be accepted by state agencies and political
 21 subdivisions of the state and no other inspection can be
 22 required.

23 ~~1-~~ a. ~~No~~ An inspection of products placed in any container
 24 at any official establishment shall not be deemed to be
 25 complete until the products are sealed or enclosed therein
 26 under the supervision of an inspector.

27 ~~2-~~ b. For purposes of any inspection of products required
 28 by this chapter, inspectors authorized by the secretary shall
 29 have access at all times by day or night to every part of every
 30 establishment required to have inspection under this chapter,
 31 whether the establishment is operated or not.

32 Sec. 41. Section 190.12, subsection 1, Code 2013, is amended
 33 to read as follows:

34 1. Frozen desserts and the pasteurized dairy ingredients
 35 used in the manufacture thereof, shall comply with the

1 following standards:

2

3 Milk, cream, and fluid	Temperature	Storage at 45
4		degrees F Fahrenheit.

5 dairy ingredient	Bacterial limit	50,000 per
6		milliliter

7	Coliform limit	10 per milliliter
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8

9 Frozen dessert mixes,	Temperature	Storage at 45
0		degrees F Fahrenheit.

11 frozen desserts (plain)	Bacterial limit	50,000 per gram
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12	Coliform limit	10 per gram
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13

14	Dry dairy ingredient	Extra grade or better as defined by
15		U. S. Standards for grades for the
16		particular product.

17

18 Dry powder mix	Bacterial limit	50,000 per gram
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19	Coliform limit	10 per gram
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20

21 Sec. 42. Section 203C.15, subsection 6, paragraph a,
22 unnumbered paragraph 1, Code 2013, is amended to read as
23 follows:

24 The licensed warehouse operator may comply ~~to~~ with the
25 demand by doing any of the following:

26 Sec. 43. Section 230.15, Code 2013, is amended to read as
27 follows:

28 230.15 Personal liability.

29 1. A person with mental illness and a person legally liable
30 for the person's support remain liable for the support of
31 the person with mental illness as provided in this section.
32 Persons legally liable for the support of a person with mental
33 illness include the spouse of the person, any person bound
34 by contract for support of the person, and, with respect to
35 persons with mental illness under eighteen years of age only,

1 the father and mother of the person. The county auditor,
2 subject to the direction of the board of supervisors, shall
3 enforce the obligation created in this section as to all sums
4 advanced by the county. The liability to the county incurred
5 by a person with mental illness or a person legally liable for
6 the person's support under this section is limited to an amount
7 equal to one hundred percent of the cost of care and treatment
8 of the person with mental illness at a state mental health
9 institute for one hundred twenty days of hospitalization. This
10 limit of liability may be reached by payment of the cost of
11 care and treatment of the person with mental illness subsequent
12 to a single admission or multiple admissions to a state
13 mental health institute or, if the person is not discharged as
14 cured, subsequent to a single transfer or multiple transfers
15 to a county care facility pursuant to section 227.11. After
16 reaching this limit of liability, a person with mental illness
17 or a person legally liable for the person's support is liable
18 to the county for the care and treatment of the person with
19 mental illness at a state mental health institute or, if
20 transferred but not discharged as cured, at a county care
21 facility in an amount not in excess of the average minimum
22 cost of the maintenance of an individual who is physically and
23 mentally healthy residing in the individual's own home, which
24 standard shall be established and may from time to time be
25 revised by the department of human services. A lien imposed
26 by section 230.25 shall not exceed the amount of the liability
27 which may be incurred under this section on account of a person
28 with mental illness.

29 2. A person with a substance-related disorder is
30 legally liable for the total amount of the cost of providing
31 care, maintenance, and treatment for the person with a
32 substance-related disorder while a voluntary or committed
33 patient. When a portion of the cost is paid by a county,
34 the person with a substance-related disorder is legally
35 liable to the county for the amount paid. The person with

1 a substance-related disorder shall assign any claim for
 2 reimbursement under any contract of indemnity, by insurance
 3 or otherwise, providing for the person's care, maintenance,
 4 and treatment in a state hospital to the state. Any payments
 5 received by the state from or on behalf of a person with a
 6 substance-related disorder shall be in part credited to the
 7 county in proportion to the share of the costs paid by the
 8 county.

9 3. Nothing in this section shall be construed to prevent
 10 a relative or other person from voluntarily paying the full
 11 actual cost or any portion of the care and treatment of any
 12 person with mental illness or a substance-related disorder as
 13 established by the department of human services.

14 Sec. 44. Section 231D.3A, Code 2013, is amended to read as
 15 follows:

16 **231D.3A Exception.**

17 An entity certified by the centers for Medicare and Medicaid
 18 services of the United States department of health and human
 19 services as a federal program of all-inclusive care for the
 20 elderly shall not be required to be certified as an adult
 21 day services program under this chapter. A program ~~for~~ of
 22 all-inclusive care for the elderly, as used in this section,
 23 shall not identify itself or hold itself out to be an adult day
 24 services program as defined in section 231D.1.

25 Sec. 45. Section 235.3, subsection 2, Code 2013, is amended
 26 to read as follows:

27 2. Make such reports and obtain and furnish such information
 28 from time to time as may be necessary to permit cooperation by
 29 the state division with the United States children's bureau,
 30 the social security ~~board~~ administration, or any other federal
 31 agency which is now or may hereafter be charged with any duty
 32 regarding child care or child welfare services.

33 Sec. 46. Section 235B.1, subsection 4, paragraph a,
 34 subparagraph (1), Code 2013, is amended to read as follows:

35 (1) Advise the director of human services, the director

1 of ~~elder affairs~~ the department on aging, the director of
2 inspections and appeals, the director of public health, the
3 director of the department of corrections, and the director of
4 human rights regarding dependent adult abuse.

5 Sec. 47. Section 235B.16A, subsection 4, Code 2013, is
6 amended to read as follows:

7 4. The department of human services shall cooperate with
8 the department on aging, the departments of ~~elder affairs~~,
9 inspections and appeals, public health, public safety, and
10 workforce development, the civil rights commission, and other
11 state and local agencies performing inspections or otherwise
12 visiting residential settings where dependent adults live,
13 to regularly provide training to the appropriate staff in
14 the agencies concerning each agency's procedures involving
15 dependent adults, and to build awareness concerning dependent
16 adults and reporting of dependent adult abuse.

17 Sec. 48. Section 249A.4B, subsection 2, paragraph a,
18 subparagraphs (29) and (41), Code 2013, are amended to read as
19 follows:

20 (29) ~~The Iowa association of homes and services for the~~
21 aging Leading age Iowa.

22 (41) ~~The Iowa dietetic association~~ academy of nutrition and
23 dietetics.

24 Sec. 49. Section 249A.12, subsection 3, paragraph b, Code
25 2013, is amended to read as follows:

26 b. The state shall be responsible for all of the nonfederal
27 share of medical assistance home and community-based services
28 waivers for persons with an intellectual ~~disabilities~~
29 disability services provided to minors, and a county is not
30 required to reimburse the department and shall not be billed
31 for the nonfederal share of the costs of the services.

32 Sec. 50. Section 249A.12, subsection 5, paragraph b, Code
33 2013, is amended to read as follows:

34 b. The department of human services shall seek federal
35 approval to amend the home and community-based services waiver

1 for persons with an intellectual disabilities disability
2 to include day habilitation services. Inclusion of day
3 habilitation services in the waiver shall take effect upon
4 receipt of federal approval.

5 Sec. 51. Section 249A.26, subsection 4, Code 2013, is
6 amended to read as follows:

7 4. The state shall pay for the entire nonfederal share
8 of the costs for case management services provided to
9 persons seventeen years of age or younger who are served in
10 a home and community-based services waiver program under the
11 medical assistance program for persons with an intellectual
12 disabilities disability.

13 Sec. 52. Section 249A.30, subsection 1, Code 2013, is
14 amended to read as follows:

15 1. The base reimbursement rate for a provider of services
16 under a medical assistance program home and community-based
17 services waiver for persons with an intellectual disabilities
18 disability shall be recalculated at least every three years
19 to adjust for the changes in costs during the immediately
20 preceding three-year period.

21 Sec. 53. Section 249L.4, subsection 5, paragraph b,
22 subparagraph (4), Code 2013, is amended to read as follows:

23 (4) Each nursing facility shall submit to the department,
24 information in a form as specified by the department and
25 developed in cooperation with representatives of the Iowa
26 caregivers association, the Iowa health care association, ~~the~~
27 leading age Iowa association of homes and services for the
28 aging, and the AARP Iowa chapter, that demonstrates compliance
29 by the nursing facility with the requirements for use of the
30 rate adjustment increases and other reimbursements provided to
31 nursing facilities through the quality assurance assessment.

32 Sec. 54. Section 252.27, unnumbered paragraph 2, Code 2013,
33 is amended to read as follows:

34 The board shall record its proceedings relating to the
35 provision of assistance to specific persons under this chapter.

1 A person who is aggrieved by a decision of the board may appeal
 2 the decision as if it were a contested case before an agency
 3 and as if the person had exhausted administrative remedies in
 4 accordance with the procedures and standards in section 17A.19,
 5 subsections 2 to 12, except section 17A.19, subsection 10,
 6 paragraphs "b" and "g", and section 17A.20.

7 Sec. 55. Section 252D.17, Code 2013, is amended to read as
 8 follows:

9 **252D.17 Notice to payor of income — duties and liability —**
 10 **criminal penalty.**

11 1. The district court shall provide notice by sending a copy
 12 of the order for income withholding or a notice of the order
 13 for income withholding to the obligor and the obligor's payor
 14 of income by regular mail, with proof of service completed
 15 according to rule of civil procedure 1.442. The child support
 16 recovery unit shall provide notice of the income withholding
 17 order by sending a notice of the order to the obligor's payor
 18 of income by regular mail or by electronic means. Proof of
 19 service may be completed according to rule of civil procedure
 20 1.442. The child support recovery unit's notice of the order
 21 may be sent to the payor of income on the same date that the
 22 order is sent to the clerk of court for filing. In all other
 23 instances, the income withholding order shall be filed with the
 24 clerk of court prior to sending the notice of the order to the
 25 payor of income. In addition to the amount to be withheld for
 26 payment of support, the order or the notice of the order shall
 27 be in a standard format as prescribed by the unit and shall
 28 include all of the following information regarding the duties
 29 of the payor in implementing the withholding order:

30 ~~1-~~ a. The withholding order or notice of the order
 31 for income withholding for child support or child support
 32 and spousal support has priority over a garnishment or an
 33 assignment for any other purpose.

34 ~~2-~~ b. As reimbursement for the payor's processing costs,
 35 the payor may deduct a fee of no more than two dollars for each

1 payment in addition to the amount withheld for support. The
2 payor of income is not required to vary the payroll cycle to
3 comply with the frequency of payment of a support order.

4 ~~3.~~ c. The amount withheld for support, including the
5 processing fee, shall not exceed the amounts specified in 15
6 U.S.C. § 1673(b).

7 ~~4.~~ d. The income withholding order is binding on an
8 existing or future payor of income ten days after receipt of
9 the copy of the order or the notice of the order, and is binding
10 whether or not the copy of the order received is file-stamped.

11 ~~5.~~ e. The payor shall send the amounts withheld to the
12 collection services center or the clerk of the district court
13 pursuant to section 252B.14 within seven business days of the
14 date the obligor is paid. "*Business day*" means a day on which
15 state offices are open for regular business.

16 ~~6.~~ f. The payor may combine amounts withheld from the
17 obligors' income in a single payment to the clerk of the
18 district court or to the collection services center, as
19 appropriate. Whether combined or separate, payments shall be
20 identified by the name of the obligor, account number, amount,
21 and the date withheld. If payments for multiple obligors are
22 combined, the portion of the payment attributable to each
23 obligor shall be specifically identified.

24 ~~7.~~ g. The withholding is binding on the payor until further
25 notice by the court or the child support recovery unit.

26 ~~8.~~ h. If the payor, with actual knowledge and intent to
27 avoid legal obligation, fails to withhold income or to pay the
28 amounts withheld to the collection services center or the clerk
29 of court in accordance with the provisions of the order, the
30 notice of the order, or the notification of payors of income
31 provisions established in section 252B.13A, the payor commits a
32 simple misdemeanor for a first offense and is liable for the
33 accumulated amount which should have been withheld, together
34 with costs, interest, and reasonable attorney fees related to
35 the collection of the amounts due from the payor. For each

1 subsequent offense prescribed under this ~~subsection~~ paragraph,
 2 the payor commits a serious misdemeanor and is liable for the
 3 accumulated amount which should have been withheld, together
 4 with costs, interest, and reasonable attorney fees related to
 5 the collection of the amounts due from the payor.

6 ~~9.~~ i. The payor shall promptly notify the court or the
 7 child support recovery unit when the obligor's employment or
 8 other income terminates, and provide the obligor's last known
 9 address and the name and address of the obligor's new employer,
 10 if known.

11 ~~10.~~ j. Any payor who discharges an obligor, refuses to
 12 employ an obligor, or takes disciplinary action against an
 13 obligor based upon income withholding is guilty of a simple
 14 misdemeanor. A withholding order or the notice of the order
 15 for income withholding has the same force and effect as any
 16 other district court order, including, but not limited to,
 17 contempt of court proceedings for noncompliance.

18 ~~11.~~ ~~a.~~ k. (1) Beginning July 1, 1997, if a payor of
 19 income does business in another state through a registered
 20 agent and receives a notice of income withholding issued by
 21 another state, the payor shall, and beginning January 1, 1998,
 22 any payor of income shall, withhold funds as directed in a
 23 notice issued by another state, except that a payor of income
 24 shall follow the laws of the obligor's principal place of
 25 employment when determining all of the following:

26 ~~(1)~~ (a) The payor's fee for processing an income
 27 withholding payment.

28 ~~(2)~~ (b) The maximum amount permitted to be withheld from
 29 the obligor's income.

30 ~~(3)~~ (c) The time periods for implementing the income
 31 withholding order and forwarding the support payments.

32 ~~(4)~~ (d) The priorities for withholding and allocating
 33 income withheld for multiple child support obligees.

34 ~~(5)~~ (e) Any withholding terms or conditions not specified
 35 in the order.

1 ~~b.~~ (2) A payor of income who complies with an income
2 withholding notice that is regular on its face shall not be
3 subject to any civil liability to any individual or agency for
4 conduct in compliance with the notice.

5 ~~12.~~ 1. The payor of income shall comply with chapter 252K
6 when receiving a notice of income withholding from another
7 state.

8 ~~13.~~ m. The department shall establish criteria and a
9 phased-in schedule to require, no later than June 30, 2015,
10 payors of income to electronically transmit the amounts
11 withheld under an income withholding order. The department
12 shall assist payors of income in complying with the required
13 electronic transmission, and shall adopt rules setting forth
14 procedures for use in electronic transmission of funds, and
15 exemption from use of electronic transmission taking into
16 consideration any undue hardship electronic transmission
17 creates for payors of income.

18 Sec. 56. Section 256.9, subsection 55, paragraph a, Code
19 2013, is amended to read as follows:

20 a. The Iowa ~~dietetic association~~ academy of nutrition and
21 dietetics.

22 Sec. 57. Section 256.18A, Code 2013, is amended to read as
23 follows:

24 **256.18A Service learning.**

25 The board of directors of a school district or the
26 authorities in charge of a nonpublic school may require a
27 certain number of service learning units as a condition for
28 the inclusion of a service learning endorsement on a student's
29 diploma or as a condition of graduation from the district
30 or school. For purposes of this ~~paragraph~~ section, "*service*
31 *learning*" means a method of teaching and learning which engages
32 students in solving problems and addressing issues in their
33 school or greater community as part of the academic curriculum.

34 Sec. 58. Section 256.42, subsection 6, Code 2013, is amended
35 to read as follows:

1 6. Coursework offered under the initiative shall be
2 rigorous and high quality, and the department shall annually
3 evaluate the quality of the courses, and ensure that coursework
4 is aligned with the state's core curriculum and core content
5 requirements and standards, as well as national standards
6 of quality for online courses issued by an internationally
7 recognized association for kindergarten through grade twelve
8 online learning.

9 Sec. 59. Section 258.16, subsection 3, paragraph d, Code
10 2013, is amended to read as follows:

11 *d.* Implement the procedures and contract, at the request
12 of the director of the board of vocational education, for the
13 delivery of vocational education programs and services pursuant
14 to section 256.11, subsection 4, and section 256.11, subsection
15 5, paragraph "h", and section 260C.14, subsection 1.

16 Sec. 60. Section 261B.2, subsection 5, paragraph c, Code
17 2013, is amended to read as follows:

18 *c.* Uses in its name the term "*college*", "*academy*",
19 "*institute*", or "*university*" or a similar term to imply that
20 the person is primarily engaged in the education of students
21 at the postsecondary level, and ~~which makes a charge~~ charges
22 for its services.

23 Sec. 61. Section 261B.9, subsection 7, Code 2013, is amended
24 to read as follows:

25 7. The disclosures required by the department of education
26 for an out-of-state school that the state board of education
27 approves to offer a practitioner preparation program by
28 distance delivery method.

29 Sec. 62. Section 261E.5, subsection 3, Code 2013, is amended
30 to read as follows:

31 3. From the funds allocated pursuant to section 261E.13,
32 subsection 1, paragraph "d", the department shall remit amounts
33 to the college board for advanced placement examinations
34 administered by the college board for students enrolled in
35 school districts and accredited nonpublic schools pursuant

1 to subsection 2 and shall distribute an amount per student
 2 to a school district submitting a list of students properly
 3 registered for the advanced placement examinations pursuant to
 4 subsection 2. The remittance rates to the college board and
 5 distribution amounts to the school districts in accordance with
 6 this subsection for the fiscal year beginning July 1, 2008, are
 7 as follows: ~~thirty-eight~~

8 a. Thirty-eight dollars for each school district or
 9 accredited nonpublic school student who does not qualify for
 10 fee reduction; ~~twenty-seven.~~

11 b. Twenty-seven dollars for each school district or
 12 accredited nonpublic school student who qualifies for fee
 13 reduction; ~~and eight.~~

14 c. Eight dollars to the school district for each school
 15 district or accredited nonpublic school student who was listed
 16 by the school district and who takes an advanced placement
 17 examination in accordance with this section.

18 Sec. 63. Section 263B.3, Code 2013, is amended to read as
 19 follows:

20 **263B.3 Agreements with federal departments.**

21 The state archaeologist is authorized to enter agreements
 22 and cooperative efforts with the ~~United States commissioner~~
 23 ~~of public roads~~ federal highway administrator, the United
 24 States departments of commerce, interior, agriculture, and
 25 defense, and any other federal or state agencies concerned with
 26 archaeological salvage or the preservation of antiquities.

27 Sec. 64. Section 266.48, subsection 1, paragraph a, Code
 28 2013, is amended to read as follows:

29 a. Iowa state university, in cooperation with the department
 30 of agriculture and land stewardship and the department of
 31 natural resources, shall establish a cost-share program for the
 32 livestock odor mitigation research efforts as established in
 33 sections 266.43 through 266.45 that maximizes participation
 34 in the livestock odor mitigation research efforts so as to
 35 accomplish the purposes in section 266.42, subsection 1.

1 Sec. 65. Section 272.31, subsection 5, Code 2013, is amended
2 to read as follows:

3 5. The state board of education shall work with institutions
4 of higher education, private colleges and universities,
5 community colleges, area education agencies, and professional
6 organizations to ensure that the courses and programs required
7 for ~~authorization~~ authorizations under this section are offered
8 throughout the state at convenient times and at a reasonable
9 cost.

10 Sec. 66. Section 273.3, subsection 2, Code 2013, is amended
11 to read as follows:

12 2. Be authorized to receive and expend money for providing
13 programs and services as provided in sections 273.1, 273.2,
14 this section, sections 273.4 to 273.9, and chapters 256B
15 and 257. All costs incurred in providing the programs and
16 services, including administrative costs, shall be paid from
17 funds received pursuant to sections 273.1, 273.2, this section,
18 sections 273.4 to 273.9 and chapters 256B and 257.

19 Sec. 67. Section 280.10, subsection 4, Code 2013, is amended
20 to read as follows:

21 4. "*Industrial quality eye-protective devices*", as used
22 in this section, means devices meeting American national
23 standard, practice for occupational and educational eye and
24 face protection promulgated by the American national standards
25 institute, inc.

26 Sec. 68. Section 321.105A, subsection 5, paragraph b, Code
27 2013, is amended to read as follows:

28 b. If an amount of the fee for new registration represented
29 by a dealer to a purchaser is computed upon a purchase price
30 that is not subject to the fee for new registration or the
31 amount represented is in excess of the actual amount subject
32 to the fee and the amount represented is actually paid by
33 the purchaser to the dealer, the excess amount of fee for
34 new registration paid shall be returned to the purchaser
35 upon proper notification to the dealer by the purchaser that

1 an excess payment exists. "Proper" notification is written
2 notification which allows a dealer at least sixty days to
3 respond and which contains enough information to allow a dealer
4 to determine the validity of a purchaser's claim that an excess
5 amount of fee for new registration has been paid. No cause
6 of action shall accrue against a dealer for excess fee for
7 new registration paid until sixty days after proper notice
8 notification has been given the dealer by the purchaser.

9 Sec. 69. Section 322.33, subsection 2, Code 2013, is amended
10 to read as follows:

11 2. ~~Article~~ Chapter 537, article 2, parts 5 and 6, and
12 chapter 537, article 3, sections 537.3203, 537.3206, 537.3209,
13 537.3304, 537.3305, and 537.3306 shall apply to any credit
14 transaction as defined in section 537.1301, that is a retail
15 installment transaction. For the purpose of applying
16 provisions of the consumer credit code in those transactions,
17 "consumer credit sale" shall include a sale for a business
18 purpose.

19 Sec. 70. Section 322A.1, subsection 5, paragraph a,
20 subparagraphs (3) and (5), Code 2013, are amended to read as
21 follows:

22 (3) The franchisee, as an independent business, constitutes
23 a component of the franchiser's distribution system.

24 (5) The operation of the franchisee's business is
25 substantially reliant on the franchiser for the continued
26 supply of motor vehicles, parts, and accessories.

27 Sec. 71. Section 326.2, subsection 6, paragraph a, Code
28 2013, is amended to read as follows:

29 a. A one-way movement from one point originating outside
30 this state and destined ~~to~~ for another point outside this
31 state.

32 Sec. 72. Section 331.362, subsection 1, Code 2013, is
33 amended to read as follows:

34 1. A county has jurisdiction over secondary roads as
35 provided in section 306.4, subsection 2, section 306.4,

1 subsection 5, paragraph "b", and section 306.4, subsection 6,
2 paragraph "b".

3 Sec. 73. Section 331.382, subsection 8, paragraph a, Code
4 2013, is amended to read as follows:

5 a. The board is subject to chapter 161F, chapters 357
6 through 358, or chapter 468, subchapters I through III, chapter
7 468, subchapter IV, parts 1 and 2, or chapter 468, subchapter
8 V, as applicable, in acting relative to a special district
9 authorized under any of those chapters.

10 Sec. 74. Section 331.390, subsection 2, paragraph a, Code
11 2013, is amended to read as follows:

12 a. The voting membership of the governing board shall
13 consist of at least one board of supervisors member from each
14 county comprising the ~~regions~~ region or their designees.

15 Sec. 75. Section 331.390, subsection 3, paragraph b, Code
16 2013, is amended to read as follows:

17 b. The regional administrator staff shall include
18 one or more coordinators of disability services. A
19 coordinator shall possess a bachelor's or higher level
20 degree in a human services-related or ~~administrative-related~~
21 administration-related field, including but not limited
22 to social work, psychology, nursing, or public or business
23 administration, from an accredited college or university.
24 However, in lieu of a degree in public or business
25 administration, a coordinator may provide documentation of
26 relevant management experience. An action of a coordinator
27 involving a clinical decision shall be made in conjunction
28 with a professional who is trained in the delivery of the
29 mental health or disability service addressed by the clinical
30 decision. The regional administrator shall determine whether
31 referral to a coordinator of disability services is required
32 for a person seeking to access a service through a local access
33 point of the regional service system.

34 Sec. 76. Section 331.552, subsection 25, Code 2013, is
35 amended to read as follows:

1 25. Carry out duties relating to the funding of drainage
2 districts as provided in chapter 468, subchapter I, parts 1 to
3 5, chapter 468, subchapter II, parts 1, 5, and 6, chapter 468,
4 subchapter III, and chapter 468, subchapter IV, parts 1 and 2.

5 Sec. 77. Section 341A.2, Code 2013, is amended to read as
6 follows:

7 **341A.2 Civil service commission.**

8 1. Subject to the alternate plan enumerated in section
9 341A.3, there is created in each county a civil service
10 commission composed of three members. Two members shall be
11 appointed by the county board of supervisors and one member
12 shall be appointed by the county attorney of each county.
13 Appointees to the commission shall be residents of the county
14 for at least two years immediately preceding appointment,
15 and shall be electors. Terms of office shall be six years;
16 however, the initial members of the commission shall be
17 appointed as follows:

18 a. One of the members appointed by the board of supervisors
19 shall serve for a period of two years while the other member
20 shall serve for a period of six years and the board shall
21 specify the term of each member so appointed.

22 b. The member appointed by the county attorney shall serve
23 for a period of four years.

24 2. Any member of the commission may be removed by the
25 appointing authority for incompetence, dereliction of duty,
26 malfeasance in office, or for other good cause; however, no
27 member of the commission shall be removed until apprised
28 in writing of the nature of the charges against the member
29 and a hearing on such charges has been held before the
30 board of supervisors. In the event a vacancy occurs in the
31 commission for any reason other than expiration of the term, an
32 appointment to fill the vacancy for the unexpired term shall be
33 made in the same manner as the original appointment.

34 3. A majority vote of the membership of the commission shall
35 be sufficient to transact the business of the commission.

1 4. Not more than two commissioners shall be members of the
2 same political party. Commissioners shall hold no elective
3 or other appointive public office during their terms of
4 appointment to the commission. Commissioners shall serve
5 without compensation but shall be reimbursed for necessary
6 expense and mileage incurred in the actual performance of their
7 duties.

8 Sec. 78. Section 350.4, subsection 9, paragraph a, Code
9 2013, is amended to read as follows:

10 a. To participate in watershed projects of soil and water
11 conservation districts and the federal government and in
12 projects of drainage districts organized under the provisions
13 of chapter 161F and, chapter 468, subchapter I, parts 1 through
14 5, and chapter 468, subchapter II, parts 1, 5, and 6, for the
15 purpose of increasing the recreational resources of the county.

16 Sec. 79. Section 354.9, subsection 3, Code 2013, is amended
17 to read as follows:

18 3. If cities establish overlapping areas of review outside
19 their boundaries, then the cities shall establish by agreement
20 pursuant to chapter 28E reasonable standards and conditions
21 for review of subdivisions within the overlapping area. If no
22 agreement is recorded pursuant to chapter 28E then the city
23 which is closest to the boundary of the subdivision shall have
24 authority to review ~~of~~ the subdivision.

25 Sec. 80. Section 355.7, subsection 6, Code 2013, is amended
26 to read as follows:

27 6. a. The plat shall show the lengths and bearings of
28 the boundaries of the parcels surveyed. The course of each
29 boundary line shown on the plat may be indicated by a direct
30 bearing reference or by an angle between the boundary line and
31 an intersecting line having a shown bearing, except when the
32 boundary line has an irregular or constantly changing course,
33 as along a body of water, or when a description of the boundary
34 line is better achieved by measurements shown at points or
35 intervals along a meander line or an offset line having a shown

1 course. The bearings shall be referenced to a United States
2 public land survey system land line, or recorded subdivision
3 line. If the boundary lines show bearings, lengths, or
4 locations which vary from those recorded in deeds, abutting
5 plats, or other instruments of record, the following note shall
6 be placed along the lines: ~~"recorded~~

7 Recorded as (show recorded bearing, length, or ~~location~~)"
8 location).

9 b. Bearings and angles shown shall be given to at least the
10 nearest minute of arc.

11 Sec. 81. Section 355.8, subsection 8, Code 2013, is amended
12 to read as follows:

13 8. a. The plat shall show the lengths and bearings of
14 the boundaries of the tracts surveyed. The course of each
15 boundary line shown on the plat may be indicated by a direct
16 bearing reference or by an angle between the boundary line and
17 an intersecting line having a shown bearing, except when the
18 boundary line has an irregular or constantly changing course,
19 as along a body of water, or when a description of the boundary
20 line is better achieved by measurements shown at points or
21 intervals along a meander line or an offset line having a shown
22 course. The bearing shall be referenced to a United States
23 public land survey system land line, or recorded subdivision
24 line. If the boundary lines show bearings, lengths, or
25 locations which vary from those recorded in deeds, abutting
26 plats, or other instruments of record, the following note shall
27 be placed along the lines: ~~"recorded~~

28 Recorded as (show recorded bearing, length, or ~~location~~)"
29 location).

30 b. Bearings and angles shown shall be given to at least the
31 nearest minute of arc.

32 Sec. 82. Section 384.6, subsection 1, paragraph b, Code
33 2013, is amended to read as follows:

34 b. If a police chief or fire chief has submitted a
35 written request to the board of trustees to be exempt from

1 chapter 411, authorized in section 411.3, subsection 1, a
 2 city shall make contributions for the chief, in an amount
 3 not to exceed the amount that would have been contributed by
 4 the city under section 411.8, subsection 1, paragraph "a",
 5 to the international city management ~~association/retirement~~
 6 association retirement corporation.

7 Sec. 83. Section 419.4, subsection 2, paragraph a,
 8 subparagraph (5), Code 2013, is amended to read as follows:

9 (5) The creation, maintenance, custody, investment and
 10 reinvestment and use of special funds from the revenues of such
 11 project, ~~and.~~

12 Sec. 84. Section 419.4, subsection 2, paragraph b, Code
 13 2013, is amended to read as follows:

14 b. (1) A municipality shall have the power to provide
 15 that proceeds from the sale of bonds and special funds from
 16 the revenues of the project shall be invested and reinvested
 17 in such securities and other investments as shall be provided
 18 in the proceedings under which the bonds are authorized to be
 19 issued including:

20 ~~(1)~~ (a) Obligations issued or guaranteed by the United
 21 States~~;~~.

22 ~~(2)~~ (b) Obligations issued or guaranteed by any person
 23 controlled or supervised by and acting as an instrumentality of
 24 the United States pursuant to authority granted by the Congress
 25 of the United States~~;~~.

26 ~~(3)~~ (c) Obligations issued or guaranteed by any state
 27 of the United States, or the District of Columbia, or any
 28 political subdivision of any such state or district~~;~~.

29 ~~(4)~~ (d) Prime commercial paper~~;~~.

30 ~~(5)~~ (e) Prime finance company paper~~;~~.

31 ~~(6)~~ (f) Bankers' acceptances drawn on and accepted by banks
 32 organized under the laws of any state or of the United States~~;~~.

33 ~~(7)~~ (g) Repurchase agreements fully secured by obligations
 34 issued or guaranteed by the United States or by any person
 35 controlled or supervised by and acting as an instrumentality of

1 the United States pursuant to authority granted by the Congress
2 of the United States;~~and~~.

3 ~~(8)~~ (h) Certificates of deposit issued by banks organized
4 under the laws of any state or of the United States; whether
5 or not such investment or reinvestment is authorized under any
6 other law of this state. The municipality shall also have the
7 power to provide that such proceeds or funds or investments and
8 the amounts payable under the lease, sale contract, or loan
9 agreement shall be received, held and disbursed by one or more
10 banks or trust companies located in or out of the state of
11 Iowa.

12 (2) A municipality shall also have the power to provide
13 that the project and improvements shall be constructed by the
14 municipality, lessee, the lessee's designee, the contracting
15 party, or the contracting party's designee, or any one or
16 more of them on real estate owned by the municipality, the
17 lessee, the lessee's designee, the contracting party, or the
18 contracting party's designee, as the case may be, and that the
19 bond proceeds shall be disbursed by the trustee bank or banks,
20 trust company or trust companies, during construction upon the
21 estimate, order or certificate of the lessee, the lessee's
22 designee, the contracting party, or the contracting party's
23 designee.

24 Sec. 85. Section 421.24, subsection 3, Code 2013, is amended
25 to read as follows:

26 3. a. For the purposes of this section, the words "tax"
27 and "taxes" shall include interest and penalties due under any
28 taxing statute, and liability for such interest or penalties,
29 or both, due under a taxing statute of another state or a
30 political subdivision thereof, shall be recognized and enforced
31 by the courts of this state to the same extent that the laws
32 of such other state permit the enforcement in its courts of
33 liability for such interest or penalties, or both, due under
34 a taxing statute of this state or a political subdivision
35 thereof.

1 b. The courts of this state may not enforce interest rates
2 or penalties on taxes of any other state which exceed the
3 interest rates and penalties imposed by the state of Iowa for
4 the same or a similar tax.

5 Sec. 86. Section 422.16, subsection 10, paragraph c, Code
6 2013, is amended to read as follows:

7 c. If any withholding agent, being a domestic or foreign
8 corporation, required under the provisions of this section
9 to withhold on wages or other taxable Iowa income subject to
10 this chapter, fails to withhold the amounts required to be
11 withheld, make the required returns or remit to the department
12 the amounts withheld, the director may, having exhausted all
13 other means of enforcement of the provisions of this chapter,
14 certify such fact or facts to the secretary of state, who shall
15 thereupon cancel the articles of incorporation or certificate
16 of authority, ~~{as as the case may be}~~ be, of such corporation,
17 and the rights of such corporation to carry on business in the
18 state of Iowa shall thereupon cease. The secretary of state
19 shall immediately notify by registered mail such domestic or
20 foreign corporation of the action taken by the secretary of
21 state. The provisions of section 422.40, subsection 3, shall
22 be applicable.

23 Sec. 87. Section 422.20, subsection 3, paragraph a, Code
24 2013, is amended to read as follows:

25 a. Unless otherwise expressly permitted by section 8A.504,
26 section 8G.4, section 96.11, subsection 6, section 421.17,
27 subsections 22, 23, and 26, section 421.17, subsection 27,
28 paragraph "k", and section 421.17, subsection 31, section
29 252B.9, section 321.40, subsection 6, sections 321.120, 421.19,
30 421.28, 422.72, and 452A.63, and this section, a tax return,
31 return information, or investigative or audit information
32 shall not be divulged to any person or entity, other than the
33 taxpayer, the department, or internal revenue service for use
34 in a matter unrelated to tax administration.

35 Sec. 88. Section 422.32, subsection 2, Code 2013, is amended

1 to read as follows:

2 2. The words, terms, and phrases defined in ~~division II,~~
3 section 422.4, subsections 4 to 6, 8, 9, 13, and 15 to 17, when
4 used in this division, shall have the meanings ascribed to them
5 in said section except where the context clearly indicates a
6 different meaning.

7 Sec. 89. Section 422.33, subsection 5, Code 2013, is amended
8 to read as follows:

9 5. *a.* The taxes imposed under this division shall
10 be reduced by a state tax credit for increasing research
11 activities in this state equal to the sum of the following:

12 (1) Six and one-half percent of the excess of qualified
13 research expenses during the tax year over the base amount for
14 the tax year based upon the state's apportioned share of the
15 qualifying expenditures for increasing research activities.

16 (2) Six and one-half percent of the basic research payments
17 determined under section 41(e)(1)(A) of the Internal Revenue
18 Code during the tax year based upon the state's apportioned
19 share of the qualifying expenditures for increasing research
20 activities.

21 *b.* The state's apportioned share of the qualifying
22 expenditures for increasing research activities is a percent
23 equal to the ratio of qualified research expenditures in this
24 state to the total qualified research expenditures.

25 ~~*b.*~~ *c.* In lieu of the credit amount computed in paragraph
26 "a", subparagraph (1), a corporation may elect to compute the
27 credit amount for qualified research expenses incurred in this
28 state in a manner consistent with the alternative simplified
29 credit described in section 41(c)(5) of the Internal Revenue
30 Code. The taxpayer may make this election regardless of
31 the method used for the taxpayer's federal income tax. The
32 election made under this paragraph is for the tax year and the
33 taxpayer may use another or the same method for any subsequent
34 year.

35 ~~*c.*~~ *d.* For purposes of the alternate credit computation

1 method in paragraph ~~"b"~~ "c", the credit percentages applicable
 2 to qualified research expenses described in section 41(c)(5)(A)
 3 and clause (ii) of section 41(c)(5)(B) of the Internal Revenue
 4 Code are four and fifty-five hundredths percent and one and
 5 ninety-five hundredths percent, respectively.

6 ~~d.~~ e. (1) For purposes of this subsection, "*base amount*",
 7 "*basic research payment*", and "*qualified research expense*" mean
 8 the same as defined for the federal credit for increasing
 9 research activities under section 41 of the Internal Revenue
 10 Code, except that for the alternative simplified credit such
 11 amounts are for research conducted within this state.

12 (2) For purposes of this subsection, "*Internal Revenue Code*"
 13 means the Internal Revenue Code in effect on January 1, 2012.

14 ~~e.~~ f. Any credit in excess of the tax liability for the
 15 taxable year shall be refunded with interest computed under
 16 section 422.25. In lieu of claiming a refund, a taxpayer may
 17 elect to have the overpayment shown on its final, completed
 18 return credited to the tax liability for the following taxable
 19 year.

20 ~~f.~~ Reserved.

21 g. A corporation which is an eligible business may claim an
 22 additional research activities credit authorized pursuant to
 23 section 15.335.

24 h. The department shall by February 15 of each year issue
 25 an annual report to the general assembly containing the total
 26 amount of all claims made by employers under this subsection
 27 and the portion of the claims issued as refunds, for all claims
 28 processed during the previous calendar year. The report shall
 29 contain the name of each claimant for whom a tax credit in
 30 excess of five hundred thousand dollars was issued and the
 31 amount of the credit received.

32 Sec. 90. Section 422.70, subsection 1, Code 2013, is amended
 33 to read as follows:

34 1. The director, for the purpose of ascertaining the
 35 correctness of a return or for the purpose of making an

1 estimate of the taxable income or receipts of a taxpayer, has
2 ~~power~~ the following powers:

3 a. To examine or cause to be examined by an agent or
4 representative designated by the director, books, papers,
5 records, or memoranda; ~~to~~.

6 b. To require by subpoena the attendance and testimony of
7 witnesses; to issue and sign subpoenas; ~~to~~.

8 c. To administer oaths, to examine witnesses and receive
9 evidence; ~~to~~.

10 d. To compel witnesses to produce for examination books,
11 papers, records, and documents relating to any matter which the
12 director has the authority to investigate or determine.

13 Sec. 91. Section 422.72, subsection 3, paragraph a, Code
14 2013, is amended to read as follows:

15 a. Unless otherwise expressly permitted by section 8A.504,
16 section 8G.4, section 96.11, subsection 6, section 421.17,
17 subsections 22, 23, and 26, section 421.17, subsection 27,
18 paragraph "k", and section 421.17, subsection 31, section
19 252B.9, section 321.40, subsection 6, sections 321.120, 421.19,
20 421.28, 422.20, and 452A.63, and this section, a tax return,
21 return information, or investigative or audit information
22 shall not be divulged to any person or entity, other than the
23 taxpayer, the department, or internal revenue service for use
24 in a matter unrelated to tax administration.

25 Sec. 92. Section 422D.1, subsection 2, paragraph a,
26 unnumbered paragraph 1, Code 2013, is amended to read as
27 follows:

28 The taxes for emergency medical services shall only be
29 imposed after an election at which a majority of those voting
30 on the question of imposing the tax or combination of taxes
31 specified in subsection 1, paragraph "a", subparagraph (1)
32 or (2), vote in favor of the question. However, the tax or
33 combination of taxes specified in subsection 1 shall not be
34 imposed on property within or on residents of a benefited
35 emergency medical services district under chapter 357F. The

1 question of imposing the tax or combination of the taxes may
 2 be submitted at the regular city election, a special election,
 3 or ~~state the~~ general election. Notice of the question shall
 4 be provided by publication at least sixty days before the time
 5 of the election and shall identify the tax or combination of
 6 taxes and the rate or rates, as applicable. If a majority of
 7 those voting on the question approve the imposition of the tax
 8 or combination of taxes, the tax or combination of taxes shall
 9 be imposed as follows:

10 Sec. 93. Section 423.3, subsection 18, paragraph c, Code
 11 2013, is amended to read as follows:

12 c. Rehabilitation facilities that provide accredited
 13 rehabilitation services to persons with disabilities which are
 14 accredited by the commission on accreditation of rehabilitation
 15 facilities or the ~~accreditation council for services for~~
 16 ~~persons with an intellectual disability and other persons with~~
 17 ~~developmental disabilities~~ on quality and leadership and adult
 18 day care services approved for reimbursement by the state
 19 department of human services.

20 Sec. 94. Section 423.5, Code 2013, is amended to read as
 21 follows:

22 **423.5 Imposition of tax.**

23 1. Except as provided in ~~subsection 3~~ paragraph "c", an
 24 excise tax at the rate of six percent of the purchase price or
 25 installed purchase price is imposed on the following:

26 ~~1-~~ a. The use in this state of tangible personal property
 27 as defined in section 423.1, including aircraft subject to
 28 registration under section 328.20, purchased for use in this
 29 state. For the purposes of this subchapter, the furnishing
 30 or use of the following services is also treated as the use
 31 of tangible personal property: optional service or warranty
 32 contracts, except residential service contracts regulated under
 33 chapter 523C, vulcanizing, recapping, or retreading services,
 34 engraving, photography, retouching, printing, or binding
 35 services, and communication service when furnished or delivered

1 to consumers or users within this state.

2 ~~2.~~ b. The use of manufactured housing in this state, on
3 the purchase price if the manufactured housing is sold in
4 the form of tangible personal property or on the installed
5 purchase price if the manufactured housing is sold in the form
6 of realty.

7 ~~3.~~ c. An excise tax at the rate of five percent is imposed
8 on the use of vehicles subject only to the issuance of a
9 certificate of title and the use of manufactured housing, and
10 on the use of leased vehicles, if the lease transaction does
11 not require titling or registration of the vehicle, on the
12 amount subject to tax as calculated pursuant to section 423.26,
13 subsection 2.

14 ~~4.~~ d. Purchases of tangible personal property made from
15 the government of the United States or any of its agencies by
16 ultimate consumers shall be subject to the tax imposed by this
17 section. Services purchased from the same source or sources
18 shall be subject to the service tax imposed by this subchapter
19 and apply to the user of the services.

20 ~~5.~~ e. The use in this state of services enumerated in
21 section 423.2. This tax is applicable where the service is
22 first used in this state.

23 ~~6.~~ 2. The excise tax is imposed upon every person using
24 the property within this state until the tax has been paid
25 directly to the county treasurer, the state department of
26 transportation, a retailer, or the department. This tax is
27 imposed on every person using the services or the product of
28 the services in this state until the user has paid the tax
29 either to an Iowa use tax permit holder or to the department.

30 ~~7.~~ 3. For the purpose of the proper administration of the
31 use tax and to prevent its evasion, evidence that tangible
32 personal property was sold by any person for delivery in this
33 state shall be prima facie evidence that such tangible personal
34 property was sold for use in this state.

35 ~~8.~~ 4. Any person or that person's affiliate, which is a

1 retailer in this state or a retailer maintaining a place of
 2 business in this state under this chapter, that enters into a
 3 contract with an agency of this state must register, collect,
 4 and remit Iowa use tax under this chapter on all sales of
 5 tangible personal property and enumerated services. Every
 6 bid submitted and each contract executed by a state agency
 7 shall contain a certification by the bidder or contractor
 8 stating that the bidder or contractor is registered with the
 9 department and will collect and remit Iowa use tax due under
 10 this chapter. In the certification, the bidder or contractor
 11 shall also acknowledge that the state agency may declare the
 12 contract or bid void if the certification is false. Fraudulent
 13 certification, by act or omission, may result in the state
 14 agency or its representative filing for damages for breach of
 15 contract.

16 ~~9.~~ 5. The use tax rate of six percent is reduced to five
 17 percent on January 1, 2030.

18 Sec. 95. Section 423.6, subsection 6, Code 2013, is amended
 19 to read as follows:

20 6. Tangible personal property or services the sales price
 21 of which is exempt from the sales tax under section 423.3,
 22 except section 423.3, subsections 39 and 73, as it relates to
 23 the sale, but not the lease or rental, of vehicles subject only
 24 to the issuance of a certificate of title and as it relates to
 25 aircraft subject to registration under section 328.20.

26 Sec. 96. Section 426A.8, unnumbered paragraph 1, Code 2013,
 27 is amended to read as follows:

28 If the amount of credit apportioned to any property eligible
 29 ~~to~~ for military service tax exemption under this chapter in
 30 any year shall exceed the total tax, exclusive of any special
 31 assessments levied against such property eligible for military
 32 service tax exemption, then the excess shall be remitted by the
 33 county treasurer to the department of revenue to be redeposited
 34 in the general fund of the state and reallocated the following
 35 year by the department.

1 Sec. 97. Section 426A.11, subsection 1, Code 2013, is
2 amended to read as follows:

3 1. The property, not to exceed two thousand seven hundred
4 seventy-eight dollars in taxable value of any veteran, as
5 defined in section 35.1, of the ~~First~~ World War I.

6 Sec. 98. Section 441.16, subsection 2, paragraph b, Code
7 2013, is amended to read as follows:

8 b. The combined budgets shall contain an itemized list of
9 the proposed salaries of the assessor and each deputy~~r~~i; the
10 amount required for field personnel and other personnel, their
11 number~~,~~, and their compensation; the estimated amount needed for
12 expenses, printing, mileage, and other expenses necessary to
13 operate the assessor's office~~r~~i; the estimated expenses of the
14 examining board~~r~~i; and the salaries and expenses of the local
15 board of review.

16 Sec. 99. Section 452A.2, subsection 25, paragraph a,
17 subparagraph (2), Code 2013, is amended to read as follows:

18 (2) Any liquid advertised, offered for sale, sold for
19 use as, or commonly or commercially used as a fuel for
20 propelling motor vehicles which, when subjected to distillation
21 of gasoline, naphtha, kerosene and similar petroleum
22 products [ASTM (American society for testing and materials)
23 international designation D-86], shows not less than ten ~~per~~
24 ~~centum~~ percent distilled (recovered) below three hundred
25 forty-seven degrees Fahrenheit (one hundred seventy-five
26 degrees Centigrade) and not less than ninety-five ~~per centum~~
27 percent distilled (recovered) below four hundred sixty-four
28 degrees Fahrenheit (two hundred forty degrees Centigrade).

29 Sec. 100. Section 455B.105, subsection 11, paragraph a,
30 subparagraph (2), Code 2013, is amended to read as follows:

31 (2) The relative benefits to the applicant and to the
32 public of permit and conditional permit review, issuance, and
33 monitoring compliance. It is the intention of the legislature
34 that permit fees shall not cover any costs connected with
35 correcting violation of the terms of any permit and shall not

1 impose unreasonable costs on any municipality.

2 ~~It is the intention of the legislature that permit fees shall~~
 3 ~~not cover any costs connected with correcting violation of the~~
 4 ~~terms of any permit and shall not impose unreasonable costs on~~
 5 ~~any municipality.~~

6 Sec. 101. Section 455B.474A, Code 2013, is amended to read
 7 as follows:

8 **455B.474A Rules consistent with federal regulations.**

9 The rules adopted by the commission under section
 10 455B.474 shall be consistent with and shall not exceed the
 11 requirements of federal regulations relating to the regulation
 12 of underground storage tanks except as provided in section
 13 455B.474, subsection 1, paragraph "a", subparagraph (6),
 14 and section 455B.474, subsection 3, paragraph "d". It is
 15 the intent of the general assembly that state rules adopted
 16 pursuant to section 455B.474, subsection 1, paragraph "a",
 17 subparagraph (6), and section 455B.474, subsection 3, paragraph
 18 "d", be consistent with and not more restrictive than federal
 19 regulations adopted by the United States environmental
 20 protection agency when those rules are adopted.

21 Sec. 102. Section 455B.516, subsection 9, Code 2013, is
 22 amended to read as follows:

23 9. a. *"Toxics pollution prevention"* means employment of a
 24 practice which reduces the industrial use of toxic substances
 25 or reduces the environmental and health hazards associated
 26 with an environmental waste without diluting or concentrating
 27 the waste before the release, handling, storage, transport,
 28 treatment, or disposal of the waste. The term includes toxics
 29 pollution prevention techniques but does not include a practice
 30 which is applied to an environmental waste after the waste is
 31 generated or comes into existence on or after the waste exits a
 32 production or commercial operation.

33 b. *"Toxics pollution prevention"* does not include, promote,
 34 or require any of the following:

35 ~~a.~~ (1) Waste burning in industrial furnaces, boilers,

1 smelters, or cement kilns for the purpose of energy recovery.

2 ~~b.~~ (2) The transfer of an environmental waste from one
3 environmental medium to another environmental medium, the
4 workplace environment, or a product.

5 ~~c.~~ (3) Off-site waste recycling.

6 ~~d.~~ (4) Any other method of end-of-pipe management
7 of environmental wastes including waste exchange and the
8 incorporation or embedding of regulated environmental wastes
9 into products or by-products.

10 Sec. 103. Section 456A.19, Code 2013, is amended to read as
11 follows:

12 **456A.19 Expenditures.**

13 1. All funds accruing to the fish and game protection fund,
14 except an equitable portion of the administration fund, shall
15 be expended solely in carrying on fish and wildlife activities.
16 Expenditures incurred by the department in carrying on the
17 activities shall be only on authorization by the general
18 assembly.

19 a. The department shall by October 1 of each year submit to
20 the department of management for transmission to the general
21 assembly a detailed estimate of the amount required by the
22 department during the succeeding year for carrying on fish and
23 wildlife activities. The estimate shall be in the same general
24 form and detail as required by law in estimates submitted by
25 other state departments.

26 b. Any unexpended balance at the end of the biennium shall
27 revert to the fish and game protection fund.

28 c. All administrative expense shall be paid from the
29 administration fund.

30 d. All other expenditures shall be paid from the state
31 conservation fund.

32 2. All expenditures under this chapter are subject to
33 approval by the director of management and the director of the
34 department of administrative services.

35 3. All moneys credited to the county conservation board

1 fund shall be used to provide grants to county conservation
 2 boards to provide funding for the purposes of chapter 350.
 3 These grants are in addition to moneys appropriated to the
 4 conservation boards from the county boards of supervisors. The
 5 grants shall be made to the conservation boards based upon the
 6 needs of the boards. Applications shall be made by the boards
 7 to the commission.

8 Sec. 104. Section 459.202, subsection 1, unnumbered
 9 paragraphs 1 and 2, Code 2013, are amended to read as follows:

10 a. Except as provided in subsection 3 and sections 459.203,
 11 459.205, and 459.206, this subsection applies to confinement
 12 feeding operation structures constructed on or after May 31,
 13 1995, but prior to January 1, 1999; and to the expansion of
 14 structures constructed prior to January 1, 1999.

15 b. The following table represents the minimum separation
 16 distance in feet required between a confinement feeding
 17 operation structure and a residence not owned by the owner of
 18 the confinement feeding operation, or a commercial enterprise,
 19 bona fide religious institution, or an educational institution:

20 Sec. 105. Section 459.202, subsection 2, unnumbered
 21 paragraphs 1 and 2, Code 2013, are amended to read as follows:

22 a. Except as provided in subsection 3 and sections 459.203,
 23 459.205, and 459.206, this subsection applies to confinement
 24 feeding operation structures constructed on or after January
 25 1, 1999, but prior to March 1, 2003, and to the expansion of
 26 structures constructed on or after January 1, 1999, but prior
 27 to March 1, 2003.

28 b. The following table represents the minimum separation
 29 distance in feet required between a confinement feeding
 30 operation structure and a residence not owned by the owner of
 31 the confinement feeding operation, or a commercial enterprise,
 32 bona fide religious institution, or an educational institution:

33 Sec. 106. Section 459.202, subsection 3, unnumbered
 34 paragraphs 1 and 2, Code 2013, are amended to read as follows:

35 a. Except as provided in sections 459.203, 459.205, and

1 459.206, this subsection applies to confinement feeding
 2 operation structures constructed on or after May 31, 1995,
 3 but prior to March 1, 2003; to the expansion of structures
 4 constructed on or after May 31, 1995, but prior to March 1,
 5 2003; and to the expansion of structures constructed prior to
 6 May 31, 1995.

7 b. The following table represents the minimum separation
 8 distance in feet required between a confinement feeding
 9 operation structure and a public use area; or between a
 10 confinement feeding operation structure and a residence not
 11 owned by the owner of the confinement feeding operation, a
 12 commercial enterprise, a bona fide religious institution,
 13 or an educational institution, if the residence, commercial
 14 enterprise, religious institution, or educational institution
 15 is located within the corporate limits of a city:

16 Sec. 107. Section 459.202, subsection 4, unnumbered
 17 paragraphs 1 and 2, Code 2013, are amended to read as follows:

18 a. Except as provided in subsection 5 and sections 459.203,
 19 459.205, and 459.206, this subsection applies to confinement
 20 feeding operation structures constructed on or after March 1,
 21 2003, and to the expansion of confinement feeding operation
 22 structures constructed on or after March 1, 2003.

23 b. The following table represents the minimum separation
 24 distance in feet required between a confinement feeding
 25 operation structure and a residence not owned by the owner of
 26 the confinement feeding operation, a commercial enterprise, a
 27 bona fide religious institution, or an educational institution:

28 Sec. 108. Section 459.202, subsection 5, unnumbered
 29 paragraphs 1 and 2, Code 2013, are amended to read as follows:

30 a. Except as provided in sections 459.203, 459.205, and
 31 459.206, this subsection applies to confinement feeding
 32 operation structures constructed on or after March 1, 2003, and
 33 to the expansion of confinement feeding operation structures
 34 constructed on or after March 1, 2003.

35 b. The following table represents the minimum separation

1 distance in feet required between a confinement feeding
2 operation structure and a public use area; or between a
3 confinement feeding operation structure and a residence not
4 owned by the owner of the confinement feeding operation, a
5 commercial enterprise, a bona fide religious institution,
6 or an educational institution, if the residence, commercial
7 enterprise, religious institution, or educational institution
8 is located within the corporate limits of a city:

9 Sec. 109. Section 459.401, subsection 2, unnumbered
10 paragraph 1, Code 2013, is amended to read as follows:

11 The compliance fund is composed of three accounts~~r~~: the
12 general account, the assessment account, and the educational
13 program account.

14 Sec. 110. Section 468.202, Code 2013, is amended to read as
15 follows:

16 **468.202 Agreement in advance.**

17 The agreement with the federal government contemplated in
18 section 468.201 may be entered into by the board in advance of
19 the filing of the ~~plan~~ — plan, such agreement to be effective
20 if the plan is finally adopted. If the plan is approved the
21 board shall make a record of any such cooperative agreement.

22 Sec. 111. Section 468.309, Code 2013, is amended to read as
23 follows:

24 **468.309 Appeal by trustees or boards.**

25 Trustees or boards of supervisors having charge of any
26 previously organized district which is proposed to be included
27 {either in whole or in part} within the new intercounty
28 district may, in the same manner and under the same procedure,
29 appeal to the district court from the action of the joint
30 boards in establishing the new district or in including therein
31 the previously organized district or any part thereof.

32 Sec. 112. Section 476.6, subsection 22, Code 2013, is
33 amended to read as follows:

34 **22. Nuclear generating facilities — legislative intent.**

35 a. It is the intent of the general assembly to require

1 certain rate-regulated public utilities to undertake analyses
2 of and preparations for the possible construction of nuclear
3 generating facilities in this state that would be beneficial in
4 a carbon-constrained environment.

5 *b.* A rate-regulated electric utility that was subject to
6 a revenue sharing settlement agreement with regard to its
7 electric base rates as of January 1, 2010, shall recover,
8 through a rider and pursuant to a tariff filing made on or
9 before December 31, 2013, the reasonable and prudent costs of
10 its analyses of and preparations for the possible construction
11 of facilities of the type referenced in paragraph "a". Cost
12 recovery shall be accomplished by instituting a revenue
13 increase applied in the same percentage amount to each customer
14 class and not designed to recover, on an annual basis, more
15 than five-tenths percent of the electric utility's calendar
16 year 2009 revenues attributable to billed base rates in this
17 state. At the conclusion of the cost recovery period, which
18 shall extend no more than thirty-six months in total, the board
19 shall conduct a contested case proceeding pursuant to chapter
20 17A to evaluate the reasonableness and prudence of the cost
21 recovery. The utility shall file such information with the
22 board as the board deems appropriate, including the filing
23 of an annual report identifying and explaining expenditures
24 identified in the rider as items for cost recovery, and
25 any other information required by the board. If the board
26 determines that the utility has imprudently incurred costs, or
27 has incurred costs that are less than the amount recovered, the
28 board shall order the utility to modify the rider to adjust the
29 amount recoverable.

30 *c.* Costs that may be recovered through the rider described
31 in paragraph "b" shall be consistent with the "United States
32 Nuclear Regulatory Guide, Section 4.7, General Site Suitability
33 Criteria for Nuclear Power Stations, Revision Two, April 1998,"
34 including costs related to the study and use of sites for
35 nuclear generation.

1 Sec. 113. Section 476.53, subsection 2, paragraph a, Code
2 2013, is amended to read as follows:

3 a. The general assembly's intent with regard to the
4 development of electric power generating and transmission
5 facilities, or the significant alteration of an existing
6 generating facility, as provided in subsection 1, shall be
7 implemented in a manner that is cost-effective and compatible
8 with the environmental policies of the state, as expressed in
9 this Title XI.

10 Sec. 114. Section 489.110, subsection 3, paragraph h, Code
11 2013, is amended to read as follows:

12 h. Vary the requirement to wind up a limited liability
13 company's business as specified in section 489.702, subsection
14 1, and section 489.702, subsection 2, paragraph "a".

15 Sec. 115. Section 489.110, subsection 4, paragraph a, Code
16 2013, is amended to read as follows:

17 a. Restrict or eliminate the duty to do any of the
18 following:

19 (1) As required in section 489.409, subsection 2, paragraph
20 "a", and section 489.409, subsection 8, to account to the
21 limited liability company and to hold as trustee for it any
22 property, profit, or benefit derived by the member in the
23 conduct or winding up of the company's business, from a use by
24 the member of the company's property, or from the appropriation
25 of a limited liability company opportunity.

26 (2) As required in section 489.409, subsection 2, paragraph
27 "b", and section 489.409, subsection 8, to refrain from dealing
28 with the company in the conduct or winding up of the company's
29 business as or on behalf of a party having an interest adverse
30 to the company.

31 (3) As required by section 489.409, subsection 2, paragraph
32 "c", and section 489.409 subsection 8, to refrain from competing
33 with the company in the conduct of the company's business
34 before the dissolution of the company.

35 Sec. 116. Section 490.850, subsection 6, Code 2013, is

1 amended to read as follows:

2 6. a. "Official capacity" means:

3 ~~a.~~ (1) When used with respect to a director, the office of
4 director in a corporation.

5 ~~b.~~ (2) When used with respect to an officer, as
6 contemplated in section 490.856, the office in a corporation
7 held by the officer.

8 b. "Official capacity" does not include service for any
9 other domestic or foreign corporation or any partnership, joint
10 venture, trust, employee benefit plan, or other entity.

11 Sec. 117. Section 493.9, Code 2013, is amended to read as
12 follows:

13 **493.9 Change in stock.**

14 Any such corporation may, by appropriate amendments to its
15 articles of incorporation, adopted by a two-third affirmative
16 vote of each class of stock then issued and outstanding and
17 affected by such amendment, change its common or preferred
18 stock ~~(common or preferred)~~ having a par value to an equal,
19 greater or less number of shares of stock having no par value,
20 and, in connection therewith, may fix the amount of capital
21 represented by such shares of stock without par value.

22 Sec. 118. Section 502.610, subsections 1, 2, and 6, Code
23 2013, are amended to read as follows:

24 1. *Sales and offers to sell.* Sections 502.301, 502.302,
25 section 502.401, subsection 1, section 502.402, subsection 1,
26 section 502.403, subsection 1, section 502.404, subsection 1,
27 and sections 502.501, 502.506, 502.509, and 502.510 do not
28 apply to a person that sells or offers to sell a security
29 unless the offer to sell or the sale is made in this state or
30 the offer to purchase or the purchase is made and accepted in
31 this state.

32 2. *Purchases and offers to purchase.* ~~Sections~~ Section
33 502.401, subsection 1, section 502.402, subsection 1, section
34 502.403, subsection 1, section 502.404, subsection 1, and
35 sections 502.501, 502.506, 502.509, and 502.510 do not apply to

1 a person that purchases or offers to purchase a security unless
2 the offer to purchase or the purchase is made in this state
3 or the offer to sell or the sale is made and accepted in this
4 state.

5 6. *Investment advice and misrepresentations.* Sections
6 Section 502.403, subsection 1, section 502.404, subsection 1,
7 section 502.405, subsection 1, and sections 502.502, 502.505,
8 and 502.506 apply to a person if the person engages in an act,
9 practice, or course of business instrumental in effecting
10 prohibited or actionable conduct in this state, whether or not
11 either party is then present in this state.

12 Sec. 119. Section 507A.7, subsection 2, Code 2013, is
13 amended to read as follows:

14 2. The court in any action, suit, or proceeding in which
15 service is made as provided in section 507A.6, subsections 2
16 and 3 ~~of section 507A.6~~, or the commissioner of insurance in
17 any administrative proceeding before the commissioner in which
18 service is made as provided in section 507A.6, subsections 2
19 and 3 ~~of section 507A.6~~, may in the court's or commissioner's
20 discretion, order such postponement as may be necessary to
21 afford the defendant reasonable opportunity to comply with the
22 provisions of subsection 1 of this section and to defend such
23 action.

24 Sec. 120. Section 507C.28, subsection 1, paragraph b,
25 subparagraph (4), Code 2013, is amended to read as follows:

26 (4) The creditor receiving the transfer was an officer,
27 or an employee, attorney or other person who was in fact in a
28 position of comparable influence in the insurer to an officer
29 whether or not the person held the position of an officer, or a
30 shareholder directly or indirectly holding more than five ~~per~~
31 ~~centum~~ percent of a class of an equity security issued by the
32 insurer, or other person, firm, corporation, association, or
33 aggregation of persons with whom the insurer did not deal at
34 arm's length.

35 Sec. 121. Section 508.36, subsection 4, Code 2013, is

1 amended to read as follows:

2 4. *Computation for minimum standards for annuities.*

3 a. Except as provided in subsection 5, the minimum
4 standard for the valuation of all individual annuity and pure
5 endowment contracts issued on or after the operative date of
6 this subsection, and for all annuities and pure endowments
7 purchased on or after the operative date of this subsection
8 under group annuity and pure endowment contracts, shall be the
9 commissioner's reserve valuation methods defined in subsections
10 6 and 7, and the following tables and interest rates:

11 ~~a.~~ (1) For individual annuity and pure endowment contracts
12 issued prior to January 1, 1980, excluding any disability
13 and accidental death benefits in such contracts, both of the
14 following:

15 ~~(1)~~ (a) The 1971 individual annuity mortality table, or any
16 modification of this table approved by the commissioner.

17 ~~(2)~~ (b) Six percent interest for single premium immediate
18 annuity contracts, and four percent interest for all other
19 individual annuity and pure endowment contracts.

20 ~~b.~~ (2) For individual single premium immediate annuity
21 contracts issued on or after January 1, 1980, excluding any
22 disability and accidental death benefits in such contracts,
23 both of the following:

24 ~~(1)~~ (a) One of the following tables:

25 ~~(a)~~ (i) The 1971 individual annuity mortality table.

26 ~~(b)~~ (ii) An individual annuity mortality table,
27 adopted after 1980 by the national association of insurance
28 commissioners and approved by rule adopted by the commissioner
29 for use in determining the minimum standard of valuation for
30 such contracts.

31 ~~(c)~~ (iii) A modification of the tables identified in
32 subparagraph ~~divisions~~ (a) subdivisions (i) and ~~(b)~~ (ii)
33 approved by the commissioner.

34 ~~(2)~~ (b) Seven and one-half percent interest.

35 ~~c.~~ (3) For individual annuity and pure endowment contracts

1 issued on or after January 1, 1980, other than single premium
2 immediate annuity contracts, excluding any disability and
3 accidental death benefits in such contracts, both of the
4 following:

5 ~~(1)~~ (a) One of the following tables:

6 ~~(a)~~ (i) The 1971 individual annuity mortality table.

7 ~~(b)~~ (ii) An individual annuity mortality table adopted
8 after 1980 by the national association of insurance
9 commissioners and approved by rule adopted by the commissioner
10 for use in determining the minimum standard of valuation for
11 such contracts.

12 ~~(c)~~ (iii) A modification of the tables identified in
13 subparagraph ~~divisions~~ subdivisions ~~(a)~~ (i) and ~~(b)~~ (ii)
14 approved by the commissioner.

15 ~~(2)~~ (b) Five and one-half percent interest for single
16 premium deferred annuity and pure endowment contracts and four
17 and one-half percent interest for all other such individual
18 annuity and pure endowment contracts.

19 ~~d.~~ (4) For all annuities and pure endowments purchased
20 prior to January 1, 1980, under group annuity and pure
21 endowment contracts, excluding any disability and accidental
22 death benefits purchased under such contracts, both of the
23 following:

24 ~~(1)~~ (a) The 1971 group annuity mortality table or any
25 modification of this table approved by the commissioner.

26 ~~(2)~~ (b) Six percent interest.

27 ~~e.~~ (5) For all annuities and pure endowments purchased
28 on or after January 1, 1980, under group annuity and pure
29 endowment contracts, excluding any disability and accidental
30 death benefits purchased under such contracts, both of the
31 following:

32 ~~(1)~~ (a) One of the following tables:

33 ~~(a)~~ (i) The 1971 group annuity mortality table.

34 ~~(b)~~ (ii) A group annuity mortality table adopted after
35 1980 by the national association of insurance commissioners

1 benefit or a cash surrender value or a combination of such
 2 benefit or value in an amount greater than the additional
 3 premium, the reserve according to the commissioner's reserve
 4 valuation method as of any policy anniversary occurring on or
 5 before the assumed ending date defined as the first policy
 6 anniversary on which the sum of any endowment benefit and
 7 any cash surrender value then available is greater than such
 8 additional premium shall be, except as otherwise provided in
 9 subsection 10, the greater of the reserve as of such policy
 10 anniversary calculated as described in paragraph "a" and the
 11 reserve as of such policy anniversary calculated as described
 12 in paragraph "a", but with the following modifications:

13 ~~{1}~~ (a) The value defined in paragraph "a" being reduced
 14 by fifteen percent of the amount of such excess first year
 15 premium.

16 ~~{2}~~ (b) All present values of benefits and premiums being
 17 determined without reference to premiums or benefits provided
 18 for by the policy after the assumed ending date.

19 ~~{3}~~ (c) The policy being assumed to mature on such date as
 20 an endowment.

21 ~~{4}~~ (d) The cash surrender value provided on such date
 22 being considered as an endowment benefit.

23 (2) In making the above comparison the mortality and
 24 interest bases stated in subsections 4 and 5 shall be used.

25 Sec. 124. Section 510.5, subsection 1, paragraph e, Code
 26 2013, is amended to read as follows:

27 e. Appropriate underwriting guidelines including but not
 28 limited to the following:

29 (1) The maximum annual premium volume.

30 (2) The basis of the rates to be charged.

31 (3) The types of risks which may be written.

32 (4) Maximum limits of liability.

33 (5) Applicable exclusions.

34 (6) Territorial limitations.

35 (7) Policy cancellation provisions.

1 (8) The maximum length or duration of the policy period.

2 f. The insurer may cancel or refuse to renew any policy
3 of insurance produced or underwritten by a managing general
4 agent, subject to the applicable laws and rules concerning the
5 cancellation and nonrenewal of insurance policies.

6 Sec. 125. Section 511.8, subsection 22, paragraph a,
7 subparagraph (4), Code 2013, is amended to read as follows:

8 (4) "*United States government-sponsored enterprise*" means the
9 federal national mortgage corporation under 12 U.S.C. § 1716 -
10 ~~23i~~ 1723i of the National Housing Act and the federal home loan
11 marketing association under the Federal Home Loan Mortgage Act,
12 12 U.S.C. § 1451 - ~~59~~ 1459.

13 Sec. 126. Section 515.13, Code 2013, is amended to read as
14 follows:

15 **515.13 Reservation.**

16 None of the provisions of ~~subsection 5 of~~ section 515.12,
17 subsection 5, shall apply to any company heretofore organized
18 and approved by the commissioner of insurance, but which had
19 not completed its organization on May 28, 1937, nor shall ~~said~~
20 section 515.12, subsection 5, apply to any company already
21 licensed to issue policies.

22 Sec. 127. Section 518C.7, subsection 4, Code 2013, is
23 amended to read as follows:

24 4. The plan of operation may delegate any or all duties and
25 powers of the association, except those under section 518C.6,
26 subsection 1, paragraph "c", and section 518C.6, subsection
27 2, paragraph "c", to a person with the approval of both the
28 board of directors and the commissioner. Such delegation
29 shall only be made to a person extending protection which
30 is not substantially less favorable and effective than that
31 provided by this chapter. Such person shall be reimbursed as a
32 servicing facility and shall be paid for the performance of any
33 other functions of the association.

34 Sec. 128. Section 524.544, subsection 3, Code 2013, is
35 amended to read as follows:

1 3. The reports required by subsections 1 and 2 of this
 2 section shall contain information, ~~to the extent known by~~
 3 the person making the report, relative to the number of
 4 shares involved, the names of the sellers and purchasers ~~for~~
 5 transferors and transferees, the purchase price, the name of
 6 the borrower, the amount, source, and terms of the loan, or
 7 other transaction, the name of the bank issuing the shares used
 8 as security, and the number of shares used as security.

9 Sec. 129. Section 524.904, subsection 5, paragraph b,
 10 subparagraphs (2) through (4), Code 2013, are amended to read
 11 as follows:

12 (2) One or more persons ~~owns own~~ or ~~controls control~~
 13 fifty percent or more of the voting securities or membership
 14 interests of the borrowing entity or a member of the group.

15 (3) One or more persons ~~controls control~~, in any manner, the
 16 election of a majority of the directors, managers, trustees,
 17 or other persons exercising similar functions of the borrowing
 18 entity or a member of the group.

19 (4) One or more persons ~~has~~ have the power to vote fifty
 20 percent or more of any class of voting securities or membership
 21 interests of the borrowing entity or a member of the group.

22 Sec. 130. Section 524.904, subsection 7, paragraph g, Code
 23 2013, is amended to read as follows:

24 g. Loans and extensions of credit to a federal reserve
 25 bank or to the United States, or of any department, bureau,
 26 board, commission, agency, or establishment of the United
 27 States, or to any corporation owned directly or indirectly by
 28 the United States, or loans and extensions of credit to one
 29 borrower to the extent that such loans and extensions of credit
 30 are fully secured or guaranteed or covered by unconditional
 31 commitments or agreements to purchase by a federal reserve bank
 32 or by the United States, or any department, bureau, board,
 33 commission, agency, or establishment of the United States, or
 34 any corporation owned directly or indirectly by the United
 35 States. Loans and extensions of credit to one borrower secured

1 by a lease on property under the terms of which the United
 2 States, or any department, bureau, board, commission, agency,
 3 or establishment of the United States, or any corporation owned
 4 directly or indirectly by the United States, or the state of
 5 Iowa, or any political subdivision of the state, is lessee and
 6 under the terms of which the aggregate rentals payable to the
 7 borrower will be sufficient to satisfy the amount loaned ~~is~~
 8 are considered to be loans and extensions of credit secured or
 9 guaranteed as provided for in this paragraph.

10 Sec. 131. Section 524.1411, subsection 5, Code 2013, is
 11 amended to read as follows:

12 5. The provisions required in the articles of incorporation
 13 by section 524.302, subsection 1, paragraphs "c" and "d", and
 14 section 524.302, subsection 2, paragraph "b".

15 Sec. 132. Section 535B.1, subsection 11, Code 2013, is
 16 amended to read as follows:

17 11. "*Real estate closing services*" means the administrative
 18 and clerical services required to carry out the conveyance or
 19 transfer of real estate or an interest in real estate located
 20 in this state to a purchaser or lender. "*Real estate closing*
 21 *services*" ~~include~~ includes but ~~are~~ is not limited to preparing
 22 settlement statements, determining that all closing documents
 23 conform to the parties' contract requirements, ascertaining
 24 that the lender's instructions have been satisfied, conducting
 25 a closing conference, receiving and disbursing funds, and
 26 completing form documents and instruments selected by and in
 27 accordance with instructions of the parties to the transaction.
 28 "*Real estate closing services*" ~~do~~ does not include performing
 29 solely notarial acts as provided in chapter 9B.

30 Sec. 133. Section 536.13, subsection 7, paragraph c, Code
 31 2013, is amended to read as follows:

32 c. Article Chapter 537, article 2, parts 3, 5, and 6 of
 33 ~~chapter 537, and chapter 537, article 3 of chapter 537, and~~
 34 sections 537.3203, 537.3206, 537.3209, 537.3304, 537.3305,
 35 and 537.3306, apply to any credit transaction, as defined in

1 section 537.1301, in which a licensee participates or engages,
 2 and any violation of those parts or sections is a violation of
 3 this chapter. For the purpose of applying the Iowa consumer
 4 credit code, chapter 537, to those credit transactions,
 5 "*consumer loan*" includes a loan for a business purpose.

6 Sec. 134. Section 536A.31, subsection 2, Code 2013, is
 7 amended to read as follows:

8 2. ~~Article~~ Chapter 537, article 2, parts 3, 5, and 6,
 9 ~~and chapter 537, article 3, and sections 537.3203, 537.3206,~~
 10 537.3209, 537.3210, 537.3304, 537.3305 and 537.3306 shall apply
 11 to any credit transaction, as defined in section 537.1301, in
 12 which a licensee participates or engages, and any violation of
 13 those parts or sections shall be violations of this chapter.
 14 For the purpose of applying the provisions of the Iowa consumer
 15 credit code, chapter 537, to those credit transactions,
 16 "*consumer loan*" shall include a loan for a business purpose.

17 Sec. 135. Section 542B.35, subsection 2, paragraph c, Code
 18 2013, is amended to read as follows:

19 ~~e.~~ 3. A person who completes the real property inspection
 20 report shall not claim to be a licensed professional land
 21 surveyor or a licensed professional engineer for purposes of
 22 the report.

23 Sec. 136. Section 543B.5, subsection 15, Code 2013, is
 24 amended to read as follows:

25 15. a. "*Material adverse fact*" means an adverse fact
 26 that a party indicates is of such significance, or that is
 27 generally recognized by a competent licensee as being of
 28 such significance to a reasonable party, that it affects or
 29 would affect the party's decision to enter into a contract
 30 or agreement concerning a transaction, or affects or would
 31 affect the party's decision about the terms of the contract or
 32 agreement.

33 b. For purposes of this subsection, "*adverse fact*" means
 34 a condition or occurrence that is generally recognized by a
 35 competent licensee as resulting in any of the following:

1 ~~a-~~ (1) Significantly and adversely affecting the value of
2 the property.

3 ~~b-~~ (2) Significantly reducing the structural integrity of
4 improvement to real estate.

5 ~~c-~~ (3) Presenting a significant health risk to occupants of
6 the property.

7 Sec. 137. Section 543B.29, subsection 3, Code 2013, is
8 amended to read as follows:

9 3. A real estate broker or salesperson who is an owner or
10 lessor of property or an employee of an owner or lessor may
11 have the broker's or salesperson's license revoked or suspended
12 for violations of this section or section 543B.34, except
13 section 543B.34, subsection 1, paragraphs "d", "e", "f", and
14 "i", with respect to that property.

15 Sec. 138. Section 543B.46, subsection 1, Code 2013, is
16 amended to read as follows:

17 1. Each real estate broker shall maintain a common trust
18 account in a bank, a savings association, or credit union for
19 the deposit of all down payments, earnest money deposits,
20 or other trust funds received by the broker or the broker's
21 salespersons on behalf of the broker's principal, except that a
22 broker acting as a salesperson shall deposit these funds in the
23 common trust account of the broker for whom the broker acts as
24 salesperson. The account shall be an interest-bearing account.
25 The interest on the account shall be transferred quarterly to
26 the treasurer of state and transferred to the Iowa finance
27 authority for deposit in the housing trust fund established in
28 section 16.181 unless there is a written agreement between the
29 buyer and seller to the contrary. The broker shall not benefit
30 from interest received on funds of others in the broker's
31 possession.

32 Sec. 139. Section 551.10, Code 2013, is amended to read as
33 follows:

34 **551.10 Cumulative remedies.**

35 Nothing in this chapter shall be construed as repealing any

1 other Act, or part of an Act, but the remedies herein provided
2 shall be cumulative to all other remedies provided by law.

3 Sec. 140. Section 554.2311, subsection 2, Code 2013, is
4 amended to read as follows:

5 2. Unless otherwise agreed specifications relating to
6 assortment of the goods are at the buyer's option and except as
7 otherwise provided in ~~subsections~~ section 554.2319, subsection
8 1, paragraph "c" and section 554.2319, subsection 3 ~~of section~~
9 ~~554.2319~~ specifications or arrangements relating to shipment
10 are at the seller's option.

11 Sec. 141. Section 554.2319, subsection 1, paragraph c, Code
12 2013, is amended to read as follows:

13 c. when under either paragraph "a" or "b" the term is
14 also F.O.B. vessel, car or other vehicle, the seller must in
15 addition at the seller's own expense and risk load the goods
16 on board. If the term is F.O.B. vessel the buyer must name the
17 vessel and in an appropriate case the seller must comply with
18 the provisions of this Article on the form of bill of lading
19 (section 554.2323).

20 Sec. 142. Section 554.2319, subsection 3, Code 2013, is
21 amended to read as follows:

22 3. Unless otherwise agreed in any case falling within
23 subsection 1, paragraph "a" or "c" or subsection 2 the buyer
24 must seasonably give any needed instructions for making
25 delivery, including when the term is F.A.S. or F.O.B. the
26 loading berth of the vessel and in an appropriate case its name
27 and sailing date. The seller may treat the failure of needed
28 instructions as a failure of cooperation under this Article
29 (section 554.2311). The seller may also at the seller's option
30 move the goods in any reasonable manner preparatory to delivery
31 or shipment.

32 Sec. 143. Section 554.3202, subsection 1, Code 2013, is
33 amended to read as follows:

34 1. Negotiation is effective even if obtained ~~(i)~~ from an
35 infant, a corporation exceeding its powers, or a person without

1 capacity, ~~(ii);~~ by fraud, duress, or mistake, ~~;~~ or ~~(iii)~~ in
2 breach of duty or as part of an illegal transaction.

3 Sec. 144. Section 554.3305, subsection 1, paragraph a, Code
4 2013, is amended to read as follows:

5 a. a defense of the obligor based on ~~(i)~~ infancy of the
6 obligor to the extent it is a defense to a simple contract,
7 ~~(ii);~~ duress, lack of legal capacity, or illegality of the
8 transaction which, under other law, nullifies the obligation of
9 the obligor, ~~(iii);~~ fraud that induced the obligor to sign the
10 instrument with neither knowledge nor reasonable opportunity
11 to learn of its character or its essential terms, ~~;~~ or ~~(iv)~~
12 discharge of the obligor in insolvency proceedings;

13 Sec. 145. Section 554.3311, subsections 1 and 3, Code 2013,
14 are amended to read as follows:

15 1. If a person against whom a claim is asserted proves that
16 ~~(i)~~ that person in good faith tendered an instrument to the
17 claimant as full satisfaction of the claim, ~~(ii)~~ the amount of
18 the claim was unliquidated or subject to a bona fide dispute,
19 and ~~(iii)~~ the claimant obtained payment of the instrument, the
20 following subsections apply.

21 3. Subject to subsection 4, a claim is not discharged under
22 subsection 2 if either of the following applies:

23 a. The claimant, if an organization, proves that ~~(i);~~

24 (1) within a reasonable time before the tender, the claimant
25 sent a conspicuous statement to the person against whom the
26 claim is asserted that communications concerning disputed
27 debts, including an instrument tendered as full satisfaction
28 of a debt, are to be sent to a designated person, office, or
29 place, ~~;~~ and ~~(ii)~~

30 (2) the instrument or accompanying communication was not
31 received by that designated person, office, or place.

32 b. The claimant, whether or not an organization, proves
33 that within ninety days after payment of the instrument, the
34 claimant tendered repayment of the amount of the instrument to
35 the person against whom the claim is asserted. This paragraph

1 does not apply if the claimant is an organization that sent a
 2 statement complying with paragraph "a", ~~part (i)~~ subparagraph
 3 (1).

4 Sec. 146. Section 554.3312, subsection 1, paragraph c, Code
 5 2013, is amended to read as follows:

6 c. "*Declaration of loss*" means a written statement, made
 7 under penalty of perjury, to the effect that ~~(i)~~ the declarer
 8 lost possession of a check, ~~(ii)~~; the declarer is the drawer
 9 or payee of the check, in the case of a certified check, or
 10 the remitter or payee of the check, in the case of a cashier's
 11 check or teller's check, ~~(iii)~~; the loss of possession was not
 12 the result of a transfer by the declarer or a lawful seizure, ~~i~~;
 13 and ~~(iv)~~ the declarer cannot reasonably obtain possession of
 14 the check because the check was destroyed, its whereabouts
 15 cannot be determined, or it is in the wrongful possession of
 16 an unknown person or a person that cannot be found or is not
 17 amenable to service of process.

18 Sec. 147. Section 554.3405, subsection 1, paragraphs b and
 19 c, Code 2013, are amended to read as follows:

20 b. "*Fraudulent endorsement*" means ~~(i)~~ one of the following:
 21 (1) in the case of an instrument payable to the employer, a
 22 forged endorsement purporting to be that of the employer, ~~or~~
 23 ~~(ii)~~;

24 (2) in the case of an instrument with respect to which the
 25 employer is the issuer, a forged endorsement purporting to be
 26 that of the person identified as payee.

27 c. "*Responsibility*" with respect to instruments means
 28 authority ~~(i)~~ to sign or endorse instruments on behalf of the
 29 employer, ~~(ii)~~; to process instruments received by the employer
 30 for bookkeeping purposes, for deposit to an account, or for
 31 other disposition, ~~(iii)~~; to prepare or process instruments for
 32 issue in the name of the employer, ~~(iv)~~; to supply information
 33 determining the names or addresses of payees of instruments
 34 to be issued in the name of the employer, ~~(v)~~; to control the
 35 disposition of instruments to be issued in the name of the

1 employer~~;~~i or ~~(vi)~~ to act otherwise with respect to instruments
2 in a responsible capacity. "Responsibility" does not include
3 authority that merely allows an employee to have access to
4 instruments or blank or incomplete instrument forms that are
5 being stored or transported or are part of incoming or outgoing
6 mail, or similar access.

7 Sec. 148. Section 554.3501, subsection 1, Code 2013, is
8 amended to read as follows:

9 1. "Presentment" means a demand made by or on behalf of a
10 person entitled to enforce an instrument ~~(i)~~i:

11 a. to pay the instrument made to the drawee or a party
12 obliged to pay the instrument or, in the case of a note or
13 accepted draft payable at a bank, to the bank~~;~~i or ~~(ii)~~

14 b. to accept a draft made to the drawee.

15 Sec. 149. Section 554.3501, subsection 2, paragraphs b and
16 c, Code 2013, are amended to read as follows:

17 b. Upon demand of the person to whom presentment is made,
18 the person making presentment must ~~(i)~~ exhibit the instrument~~;~~
19 ~~(ii)~~i; give reasonable identification and, if presentment is
20 made on behalf of another person, reasonable evidence of
21 authority to do so~~;~~i and ~~(iii)~~ sign a receipt on the instrument
22 for any payment made or surrender the instrument if full
23 payment is made.

24 c. Without dishonoring the instrument, the party to whom
25 presentment is made may ~~(i)~~ return the instrument for lack of
26 a necessary endorsement, or ~~(ii)~~ refuse payment or acceptance
27 for failure of the presentment to comply with the terms of the
28 instrument, an agreement of the parties, or other applicable
29 law or rule.

30 Sec. 150. Section 554.3604, subsection 1, Code 2013, is
31 amended to read as follows:

32 1. A person entitled to enforce an instrument, with or
33 without consideration, may discharge the obligation of a party
34 to pay the instrument ~~(i)~~ by an intentional voluntary act,
35 such as surrender of the instrument to the party, destruction,

1 mutilation, or cancellation of the instrument, cancellation or
 2 striking out of the party's signature, or the addition of words
 3 to the instrument indicating discharge~~r;~~ or ~~(ii)~~ by agreeing
 4 not to sue or otherwise renouncing rights against the party by
 5 a signed writing.

6 Sec. 151. Section 554.3605, subsections 5, 7, and 9, Code
 7 2013, are amended to read as follows:

8 5. If the obligation of a party to pay an instrument is
 9 secured by an interest in collateral and a person entitled to
 10 enforce the instrument impairs the value of the interest in
 11 collateral, the obligation of an endorser or accommodation
 12 party having a right of recourse against the obligor is
 13 discharged to the extent of the impairment. The value of an
 14 interest in collateral is impaired to the extent ~~(i)~~ the value
 15 of the interest is reduced to an amount less than the amount of
 16 the right of recourse of the party asserting discharge, or ~~(ii)~~
 17 the reduction in value of the interest causes an increase in
 18 the amount by which the amount of the right of recourse exceeds
 19 the value of the interest. The burden of proving impairment is
 20 on the party asserting discharge.

21 7. Under subsection 5 or 6, impairing value of an interest
 22 in collateral includes ~~(i)~~ failure to obtain or maintain
 23 perfection or recordation of the interest in collateral~~, (ii);~~
 24 release of collateral without substitution of collateral of
 25 equal value~~, (iii);~~ failure to perform a duty to preserve the
 26 value of collateral owed, under Article 9 or other law, to
 27 a debtor or surety or other person secondarily liable~~r;~~ or
 28 ~~(iv)~~ failure to comply with applicable law in disposing of
 29 collateral.

30 9. A party is not discharged under this section if ~~(i)~~ the
 31 party asserting discharge consents to the event or conduct
 32 that is the basis of the discharge, or ~~(ii)~~ the instrument
 33 or a separate agreement of the party provides for waiver of
 34 discharge under this section either specifically or by general
 35 language indicating that parties waive defenses based on

1 suretyship or impairment of collateral.

2 Sec. 152. Section 554.9102, subsection 1, paragraphs b,
3 k, z, ar, au, be, and bg, Code 2013, are amended to read as
4 follows:

5 *b. "Account",* except as used in *"account for"*, means a right
6 to payment of a monetary obligation, whether or not earned by
7 performance, ~~{i}~~ for property that has been or is to be sold,
8 leased, licensed, assigned, or otherwise disposed of, ~~{ii}~~;
9 for services rendered or to be rendered, ~~{iii}~~; for a policy
10 of insurance issued or to be issued, ~~{iv}~~; for a secondary
11 obligation incurred or to be incurred, ~~{v}~~; for energy provided
12 or to be provided, ~~{vi}~~; for the use or hire of a vessel under
13 a charter or other contract, ~~{vii}~~; arising out of the use of a
14 credit or charge card or information contained on or for use
15 with the card, ~~{viii}~~ or ~~{viii}~~ as winnings in a lottery or other
16 game of chance operated or sponsored by a state, governmental
17 unit of a state, or person licensed or authorized to operate
18 the game by a state or governmental unit of a state. The term
19 includes health care insurance receivables. The term does
20 not include ~~{i}~~ rights to payment evidenced by chattel paper
21 or an instrument, ~~{ii}~~ commercial tort claims, ~~{iii}~~ deposit
22 accounts, ~~{iv}~~ investment property, ~~{v}~~ letter-of-credit rights
23 or letters of credit, or ~~{vi}~~ rights to payment for money or
24 funds advanced or sold, other than rights arising out of the
25 use of a credit or charge card or information contained on or
26 for use with the card.

27 *k. "Chattel paper"* means a record or records that evidence
28 both a monetary obligation and a security interest in specific
29 goods, a security interest in specific goods and software used
30 in the goods, a security interest in specific goods and license
31 of software used in the goods, a lease of specific goods, or
32 a lease of specific goods and license of software used in
33 the goods. In this paragraph, *"monetary obligation"* means a
34 monetary obligation secured by the goods or owed under a lease
35 of the goods and includes a monetary obligation with respect

1 to software used in the goods. The term does not include ~~(i)~~
 2 charters or other contracts involving the use or hire of a
 3 vessel or ~~(ii)~~ records that evidence a right to payment arising
 4 out of the use of a credit or charge card or information
 5 contained on or for use with the card. If a transaction is
 6 evidenced by records that include an instrument or series of
 7 instruments, the group of records taken together constitutes
 8 chattel paper.

9 *z. "Consumer transaction"* means a transaction in which ~~(i)~~
 10 an individual incurs an obligation primarily for personal,
 11 family, or household purposes, ~~(ii)~~; a security interest
 12 secures the obligation, ~~(iii)~~; and ~~(iv)~~ the collateral is held or
 13 acquired primarily for personal, family, or household purposes.
 14 The term includes consumer-goods transactions.

15 *ar. "Goods"* means all things that are movable when a
 16 security interest attaches. The term includes ~~(i)~~ fixtures,
 17 ~~(ii)~~; standing timber that is to be cut and removed under a
 18 conveyance or contract for sale, ~~(iii)~~; the unborn young of
 19 animals, ~~(iv)~~; crops grown, growing, or to be grown, even if
 20 the crops are produced on trees, vines, or bushes, ~~(v)~~; and ~~(vi)~~
 21 manufactured homes. The term also includes a computer program
 22 embedded in goods and any supporting information provided in
 23 connection with a transaction relating to the program if ~~(i)~~
 24 the program is associated with the goods in such a manner that
 25 it customarily is considered part of the goods, or ~~(ii)~~ by
 26 becoming the owner of the goods, a person acquires a right to
 27 use the program in connection with the goods. The term does
 28 not include a computer program embedded in goods that consist
 29 solely of the medium in which the program is embedded. The
 30 term also does not include accounts, chattel paper, commercial
 31 tort claims, deposit accounts, documents, general intangibles,
 32 instruments, investment property, letter-of-credit rights,
 33 letters of credit, money, or oil, gas, or other minerals before
 34 extraction.

35 *au. "Instrument"* means a negotiable instrument or any

1 other writing that evidences a right to the payment of a
 2 monetary obligation, is not itself a security agreement or
 3 lease, and is of a type that in ordinary course of business
 4 is transferred by delivery with any necessary indorsement or
 5 assignment. The term does not include ~~(i)~~ investment property,
 6 ~~(ii)~~ letters of credit, or ~~(iii)~~ writings that evidence a right
 7 to payment arising out of the use of a credit or charge card or
 8 information contained on or for use with the card.

9 *be.* "New value" means ~~(i)~~ money, ~~(ii)~~ money's worth in
 10 property, services, or new credit, or ~~(iii)~~ release by a
 11 transferee of an interest in property previously transferred
 12 to the transferee. The term does not include an obligation
 13 substituted for another obligation.

14 *bg.* "Obligor" means a person that, with respect to an
 15 obligation secured by a security interest in or an agricultural
 16 lien on the collateral, ~~(i)~~ owes payment or other performance
 17 of the obligation, ~~(ii)~~ has provided property other than the
 18 collateral to secure payment or other performance of the
 19 obligation, or ~~(iii)~~ is otherwise accountable in whole or in
 20 part for payment or other performance of the obligation. The
 21 term does not include issuers or nominated persons under a
 22 letter of credit.

23 Sec. 153. Section 554.12507, subsection 3, Code 2013, is
 24 amended to read as follows:

25 3. a. A funds-transfer system rule may select the law of a
 26 particular jurisdiction to govern ~~(i)~~ :

27 (1) the rights and obligations between participating banks
 28 with respect to payment orders transmitted or processed through
 29 the system, or ~~(ii)~~

30 (2) the rights and obligations of some or all parties to a
 31 funds transfer any part of which is carried out by means of the
 32 system.

33 b. A choice of law made pursuant to ~~clause (i)~~ paragraph
 34 "a", subparagraph (1), is binding on participating banks. A
 35 choice of law made pursuant to ~~clause (ii)~~ paragraph "a",

1 subparagraph (2), is binding on the originator, other sender,
 2 or a receiving bank having notice that the funds-transfer
 3 system might be used in the funds transfer and of the choice
 4 of law by the system when the originator, other sender,
 5 or receiving bank issued or accepted a payment order. The
 6 beneficiary of a funds transfer is bound by the choice of law
 7 if, when the funds transfer is initiated, the beneficiary has
 8 notice that the funds-transfer system might be used in the
 9 funds transfer and of the choice of law by the system. The
 10 law of a jurisdiction selected pursuant to this subsection may
 11 govern, whether or not that law bears a reasonable relation to
 12 the matter in issue.

13 Sec. 154. Section 554.13103, subsection 1, paragraph g,
 14 subparagraph (3), subparagraph division (d), Code 2013, is
 15 amended to read as follows:

16 (d) if the lease is not a consumer lease, the lessor, before
 17 the lessee signs the lease contract, informs the lessee in
 18 writing ~~(i)~~ of the identity of the person supplying the goods
 19 to the lessor, unless the lessee has selected that person
 20 and directed the lessor to acquire the goods or the right to
 21 possession and use of the goods from that person, ~~(ii)~~; that
 22 the lessee is entitled under this Article to the promises and
 23 warranties, including those of any third party, provided to the
 24 lessor by the person supplying the goods in connection with
 25 or as part of the contract by which the lessor acquired the
 26 goods or the right to possession and use of the goods, and
 27 ~~(iii)~~ that the lessee may communicate with the person supplying
 28 the goods to the lessor and receive an accurate and complete
 29 statement of those promises and warranties, including any
 30 disclaimers and limitations of them or of remedies.

31 Sec. 155. Section 554.13209, subsection 2, Code 2013, is
 32 amended to read as follows:

33 2. The extension of the benefit of a supplier's promises and
 34 of warranties to the lessee under subsection 1 does not: ~~(i)~~
 35 a. modify the rights and obligations of the parties to the

1 supply contract, whether arising therefrom or otherwise, or
2 ~~(ii)~~

3 b. impose any duty or liability under the supply contract
4 on the lessee.

5 Sec. 156. Section 554.13527, subsection 2, Code 2013, is
6 amended to read as follows:

7 2. Except as otherwise provided with respect to damages
8 liquidated in the lease agreement (section 554.13504) or
9 otherwise determined pursuant to agreement of the parties
10 (sections 554.1302 and 554.13503), if the disposition is by
11 lease agreement substantially similar to the original lease
12 agreement and the new lease agreement is made in good faith and
13 in a commercially reasonable manner, the lessor may recover
14 from the lessee as damages ~~(i)~~ accrued and unpaid rent as of
15 the date of the commencement of the term of the new lease
16 agreement, ~~(ii)~~; the present value, as of the same date, of the
17 total rent for the remaining lease term of the original lease
18 agreement minus the present value, as of the same date, of the
19 rent under the new lease agreement applicable to that period of
20 the new lease term which is comparable to the then remaining
21 term of the original lease agreement; and ~~(iii)~~ any incidental
22 damages allowed under section 554.13530, less expenses saved in
23 consequence of the lessee's default.

24 Sec. 157. Section 554.13528, subsection 1, Code 2013, is
25 amended to read as follows:

26 1. Except as otherwise provided with respect to damages
27 liquidated in the lease agreement (section 554.13504) or
28 otherwise determined pursuant to agreement of the parties
29 (sections 554.1302 and 554.13503), if a lessor elects to retain
30 the goods or a lessor elects to dispose of the goods and the
31 disposition is by lease agreement that for any reason does not
32 qualify for treatment under section 554.13527, subsection 2, or
33 is by sale or otherwise, the lessor may recover from the lessee
34 as damages for a default of the type described in section
35 554.13523, subsection 1, or section 554.13523, subsection 3,

1 paragraph "a", or, if agreed, for other default of the lessee,
2 ~~(i)~~

3 a. accrued and unpaid rent as of the date of default if
4 the lessee has never taken possession of the goods, or, if the
5 lessee has taken possession of the goods, as of the date the
6 lessor repossesses the goods or an earlier date on which the
7 lessee makes a tender of the goods to the lessor, ~~(ii)~~

8 b. the present value as of the date determined under clause
9 ~~(i)~~ paragraph "a" of the total rent for the then remaining lease
10 term of the original lease agreement minus the present value as
11 of the same date of the market rent at the place where the goods
12 are located computed for the same lease term, and ~~(iii)~~

13 c. any incidental damages allowed under section 554.13530,
14 less expenses saved in consequence of the lessee's default.

15 Sec. 158. Section 554D.104, subsection 2, paragraph b, Code
16 2013, is amended to read as follows:

17 b. Chapter 554 other than chapter 554, articles 2 and 13,
18 and section 554.1306.

19 Sec. 159. Section 559.2, Code 2013, is amended to read as
20 follows:

21 **559.2 Definition — scope of power.**

22 The term "*power to appoint*" as used in section 559.1, shall
23 mean and include all powers which are in substance and effect
24 powers of appointment, regardless of the language used in
25 creating them and whether they are ~~(1) general~~:

26 1. General, special or otherwise, ~~(2) vested~~.

27 2. Vested, contingent or conditional, ~~(3) in~~.

28 3. In gross, appendant, simply collateral, in trust or in
29 the nature of a trust or otherwise, ~~(4) exercisable~~.

30 4. Exercisable by an instrument amending, revoking,
31 altering, or terminating a trust or an estate, or an interest
32 thereunder or otherwise, ~~(5) exercisable~~.

33 5. Exercisable presently or in the future, ~~(6) exercisable~~.

34 6. Exercisable in an individual or a fiduciary capacity
35 whether alone or in conjunction with one or more other persons

1 or corporations, ~~(7) powers.~~

2 7. Powers to invade or consume property, ~~or (8) powers.~~

3 8. Powers remaining after one or more partial releases have
4 heretofore or hereafter been made with respect to a power to
5 appoint.

6 Sec. 160. Section 559.6, Code 2013, is amended to read as
7 follows:

8 **559.6 Delivery.**

9 A release or disclaimer may be delivered to any of the
10 following: ~~(1)~~

11 1. Any person who could be adversely affected by the
12 exercise of the power, ~~or (2) any.~~

13 2. Any trustee of the property to which the power relates,
14 ~~or (3) any.~~

15 3. Any person specified for such purpose in the instrument
16 creating the power, ~~or (4) the.~~

17 4. The county recorder as provided in section 559.1.

18 Sec. 161. Section 600A.4, subsection 2, paragraph f, Code
19 2013, is amended to read as follows:

20 *f.* Shall be accompanied by a report which includes,
21 to the extent available, the complete family medical and
22 social history of the person to be adopted including any
23 known genetic, metabolic, or familial disorders and the
24 complete medical and developmental history of the person to
25 be adopted, and a social history of the minor child and the
26 minor child's family but which does not disclose the identity
27 of the biological parents of the person to be adopted. The
28 social history may include but is not limited to the minor
29 child's racial, ethnic, and religious background and a general
30 description of the minor child's biological parents and an
31 account of the minor child's prior and existing relationship
32 with any relative, foster parent, or other individual with whom
33 the minor child regularly lives or whom the child regularly
34 visits.

35 (1) A biological parent may also provide ongoing

1 information to the adoptive parents, as additional medical
 2 or social history information becomes known, by providing
 3 information to the clerk of court, the department of human
 4 services, or the agency which made the placement, and may
 5 provide the current address of the biological parent. The
 6 clerk of court, the department of human services, or the agency
 7 which made the placement shall transmit the information to the
 8 adoptive parents if the address of the adoptive parents is
 9 known.

10 (2) A person who furnishes a report required under this
 11 paragraph "f" and the court shall not disclose any information
 12 upon which the report is based except as otherwise provided
 13 in this section and such a person is subject to the penalties
 14 provided in section 600.16, as applicable. A person who is the
 15 subject of any report may bring a civil action against a person
 16 who discloses the information in violation of this section.

17 (3) Information provided under this paragraph "f" shall not
 18 be used as evidence in any civil or criminal proceeding against
 19 a person who is the subject of the information.

20 (4) The department shall prescribe forms designed to obtain
 21 the family medical and social history and shall provide the
 22 forms at no charge to any agency or person who executes a
 23 release of custody of the minor child or who files a petition
 24 for termination of parental rights. The existence of this
 25 report does not limit a person's ability to petition the court
 26 for release of records in accordance with other provisions of
 27 law.

28 Sec. 162. Section 631.8, subsection 2, paragraph b, Code
 29 2013, is amended to read as follows:

30 b. As to parties who have appeared or are existing parties,
 31 either ~~{1}~~ order the small claim to be heard under this chapter
 32 and the other claim to be tried by regular procedure or ~~{2}~~
 33 order both claims to be tried by regular procedure.

34 Sec. 163. Section 633.224, Code 2013, is amended to read as
 35 follows:

1 **633.224 Advancements — in general.**

2 When the owner of property transfers it as an advancement
 3 to a person who would be an heir of such transferor were the
 4 latter to die at that time, and the transferor dies intestate,
 5 then the property thus advanced shall be counted toward the
 6 share of the transferee in the estate, {which for this purpose
 7 only shall be increased by the value of the advancement at
 8 the time the advancement was made}. The transferee shall
 9 have no liability to the estate for such part, if any, of the
 10 advancement as may be in excess of the transferee's share
 11 in the estate as thus determined. Every gratuitous inter
 12 vivos transfer is presumed to be an absolute gift, and not an
 13 advancement. Such presumption is rebuttable.

14 Sec. 164. Section 633.352, Code 2013, is amended to read as
 15 follows:

16 **633.352 Collection of rents and payment of taxes and charges.**

17 Unless otherwise provided by the will, the provisions of
 18 chapter 637 that conflict with this division VII, part 3, shall
 19 not apply to the allocation and distribution of estate income.

20 Sec. 165. Section 648.3, subsection 1, Code 2013, is amended
 21 to read as follows:

22 1. Before action can be brought under any ground specified
 23 in section 648.1, except section 648.1, subsection 1, three
 24 days' notice to quit must be given to the defendant in writing.
 25 However, a landlord who has given a tenant three days' notice
 26 to pay rent and has terminated the tenancy as provided in
 27 section 562A.27, subsection 2, or section 562B.25, subsection
 28 2, if the tenant is renting the manufactured or mobile home or
 29 the land from the landlord, may commence the action without
 30 giving a three-day notice to quit.

31 Sec. 166. Section 724.10, subsection 2, Code 2013, is
 32 amended to read as follows:

33 2. The issuing officer, upon receipt of an initial or
 34 renewal application under this section, shall immediately
 35 conduct a background check concerning each applicant by

1 obtaining criminal history data from the department of public
2 safety which shall include an inquiry of the national instant
3 criminal background check system maintained by the federal
4 bureau of investigation or any successor agency.

5 Sec. 167. Section 724.17, Code 2013, is amended to read as
6 follows:

7 **724.17 Application for annual permit to acquire — criminal**
8 **history check required.**

9 The application for an annual permit to acquire pistols
10 or revolvers may be made to the sheriff of the county of
11 the applicant's residence and shall be on a form prescribed
12 and published by the commissioner of public safety. The
13 application shall require only the full name of the applicant,
14 the driver's license or nonoperator's identification card
15 number of the applicant, the residence of the applicant,
16 and the date and place of birth of the applicant. The
17 applicant shall also display an identification card that
18 bears a distinguishing number assigned to the cardholder, the
19 full name, date of birth, sex, residence address, and brief
20 description and colored photograph of the cardholder, or other
21 identification as specified by rule of the department of public
22 safety. The sheriff shall conduct a criminal history check
23 concerning each applicant by obtaining criminal history data
24 from the department of public safety which shall include an
25 inquiry of the national instant criminal background check
26 system maintained by the federal bureau of investigation or any
27 successor agency. A person who makes what the person knows
28 to be a false statement of material fact on an application
29 submitted under this section or who submits what the person
30 knows to be any materially falsified or forged documentation in
31 connection with such an application commits a class "D" felony.

32 Sec. 168. Section 805.6, subsection 3, paragraph a, Code
33 2013, is amended to read as follows:

34 a. (1) The uniform citation and complaint shall contain
35 spaces for the following:

1 (a) The parties' names; ~~the~~.

2 (b) The address of the alleged offender; ~~the~~.

3 (c) The registration number of the offender's vehicle; ~~the~~.

4 (d) The information required by section 805.2, ~~a~~.

5 (e) A warning which states:

6 ~~"I~~ I hereby swear and affirm that the information provided by
7 me on this citation is true under penalty of providing false
8 ~~information"; and a~~ information.

9 (f) A statement that providing false identification
10 information is a violation of section 719.1A; ~~a~~.

11 (g) A list of the scheduled fines prescribed by sections
12 805.8A, 805.8B, and 805.8C, either separately or by group, and
13 a statement of the court costs payable in scheduled violation
14 cases, whether or not a court appearance is required or is
15 demand; ~~a~~.

16 (h) A brief explanation of sections 805.9 and 805.10; ~~and a~~.

17 (i) A space where the defendant may sign an admission of the
18 violation when permitted by section 805.9; ~~and the~~.

19 (2) The uniform citation and complaint shall require that
20 the defendant appear before a court at a specified time and
21 place.

22 (3) The uniform citation and complaint also may contain a
23 space for the imprint of a credit card, and may contain any
24 other information which the commissioner of public safety, the
25 director of transportation, and the director of the department
26 of natural resources may determine.

27 Sec. 169. Section 805.8B, subsection 2, paragraph b,
28 subparagraph (3), Code 2013, is amended to read as follows:

29 (3) For operating violations under section 321G.13,
30 subsection 1, paragraphs "a", "b", "e", "f", "g", "h", and "i",
31 and section 321G.13, subsections 2 and 3, the scheduled fine
32 is one hundred dollars.

33 Sec. 170. Section 805.8B, subsection 2A, paragraph b,
34 subparagraph (3), Code 2013, is amended to read as follows:

35 (3) For operating violations under section 321I.14,

1 subsection 1, paragraphs "a", "e", "f", "g", and "h", and
2 section 321I.14, subsections 2, 3, 4, and 5, the scheduled fine
3 is one hundred dollars.

4 Sec. 171. Section 809A.3, Code 2013, is amended to read as
5 follows:

6 **809A.3 Conduct giving rise to forfeiture.**

7 1. The following conduct may give rise to forfeiture:

8 ~~1.~~ a. An act or omission which is a public offense and
9 which is a serious or aggravated misdemeanor or felony.

10 ~~2.~~ b. An act or omission occurring outside of this state,
11 that would be punishable by confinement of one year or more in
12 the place of occurrence and would be a serious or aggravated
13 misdemeanor or felony if the act or omission occurred in this
14 state.

15 ~~3.~~ c. An act or omission committed in furtherance of any
16 act or omission described in ~~subsection 1~~ paragraph "a", which
17 is a serious or aggravated misdemeanor or felony, including any
18 inchoate or preparatory offense.

19 ~~4.~~ 2. Notwithstanding ~~subsections~~ subsection 1 through
20 3, violations of chapter 321 or 321J shall not be considered
21 conduct giving rise to forfeiture, except for violations of the
22 following:

23 a. Section 321.232.

24 b. A second or subsequent violation of section 321J.4B,
25 subsection 2, paragraph "a", subparagraph (2).

26 c. Section 321J.4B, subsection 9.

27 Sec. 172. Section 904.312, Code 2013, is amended to read as
28 follows:

29 **904.312 Purchase of supplies.**

30 1. The director shall adopt rules governing the purchase of
31 all articles and supplies needed at the various institutions
32 and the form and verification of vouchers for the purchases.
33 When purchases are made by sample, the sample shall be properly
34 marked and retained until after an award or delivery of the
35 items is made. The director may purchase supplies from any

1 institution under the director's control, for use in any other
2 institution, and reasonable reimbursement shall be made for
3 these purchases.

4 2. The director shall, whenever technically feasible,
5 purchase and use degradable loose foam packing material
6 manufactured from grain starches or other renewable resources,
7 unless the cost of the packing material is more than ten
8 percent greater than the cost of packing material made from
9 nonrenewable resources. For the purposes of this subsection,
10 "*packing material*" means material, other than an exterior
11 packing shell, that is used to stabilize, protect, cushion, or
12 brace the contents of a package.

13 Sec. 173. Section 915.82, subsection 1, Code 2013, is
14 amended to read as follows:

15 1. a. A crime victim assistance board is established, and
16 shall consist of the following members to be appointed pursuant
17 to rules adopted by the department:

18 a. (1) A county attorney or assistant county attorney.

19 ~~b.~~ (2) Two persons engaged full-time in law enforcement.

20 ~~e.~~ (3) A public defender or an attorney practicing
21 primarily in criminal defense.

22 ~~d.~~ (4) A hospital medical staff person involved with
23 emergency services.

24 e. (5) Two public members who have received victim
25 services.

26 ~~£.~~ (6) A victim service provider.

27 ~~§.~~ (7) A person licensed pursuant to chapter 154B or 154C.

28 ~~h.~~ (8) A person representing the elderly.

29 b. Board members shall be reimbursed for expenses actually
30 and necessarily incurred in the discharge of their duties.

DIVISION II

VOLUME VI RENUMBERING

33 Sec. 174. Section 556.2, subsection 5, Code 2013, is amended
34 to read as follows:

35 5. *a.* A banking organization or financial organization

1 shall send to the owner of each account, to which none of the
2 actions specified in subsection 2, paragraphs "a" through "e"
3 ~~of subsection 1~~ or subsection 2, paragraphs "a" through "e" of
4 ~~subsection 2~~ have occurred during the preceding three calendar
5 years, a notice by certified mail stating in substance the
6 following:

7 According to our records, we have had no contact with you
8 regarding (describe account) for more than three years. Under
9 Iowa law, if there is a period of three years without contact,
10 we may be required to transfer this account to the custody of
11 the treasurer of state of Iowa as unclaimed property. You
12 may prevent this by taking some action, such as a deposit or
13 withdrawal, which indicates your interest in this account or by
14 signing this form and returning it to us.

15 I desire to keep the above account open and active.

16

17 Your signature

18 b. The notice required under this section shall be mailed
19 within thirty days of the lapse of the three-year period in
20 which there is no activity. The cost of the certified mail of
21 the notice required in this section may be deducted from the
22 account by the banking or financial organization.

23 Sec. 175. Section 557B.3, subsection 2, unnumbered
24 paragraphs 2, 3, 4, and 5, Code 2013, are amended to read as
25 follows:

26 3. The application shall be signed by the membership camping
27 operator or an officer or a general partner of the membership
28 camping operator, or by another person holding a power of
29 attorney for this purpose from the membership camping operator.
30 If the application is signed pursuant to a power of attorney,
31 a copy of the power of attorney must be included with the
32 application.

33 4. An application for registration shall be amended within
34 twenty-five days of any material change in the information
35 included in the application. A material change includes any

1 change which significantly reduces or terminates either the
2 applicant's or the purchaser's right to use the campground
3 or any of the facilities described in the membership camping
4 contract, but does not include minor changes covering the use
5 of the campground, its facilities, or the reciprocal program.

6 5. The registration of the membership camping operator
7 must be renewed annually by filing an application for renewal
8 with the required fee not later than thirty days prior to the
9 anniversary of the current registration. The application shall
10 include all changes which have occurred in the information
11 included in the application previously filed.

12 6. Registration with the attorney general does not
13 constitute approval or endorsement by the attorney general
14 of the membership camping operator, the membership camping
15 contract, or the campground, and any attempt by the membership
16 camping operator to indicate that registration constitutes such
17 approval or endorsement is unlawful.

18 Sec. 176. Section 557B.8, Code 2013, is amended to read as
19 follows:

20 **557B.8 Disclosures to purchasers.**

21 1. A membership camping operator who is subject to the
22 registration requirements of section 557B.3 shall provide a
23 disclosure statement to a purchaser or prospective purchaser
24 before the person signs a membership camping contract or gives
25 any money or thing of value for the purchase of a membership
26 camping contract.

27 ~~1.~~ 2. The front cover or first page of the disclosure
28 statement shall contain only the following, in the order
29 stated:

30 a. "MEMBERSHIP CAMPING OPERATOR'S DISCLOSURE STATEMENT"
31 printed at the top in boldface type of a minimum size of ten
32 points.

33 b. The name and principal business address of the membership
34 camping operator and any material affiliate of the membership
35 camping operator.

1 *c.* A statement that the membership camping operator is in
2 the business of offering for sale membership camping contracts.

3 *d.* A statement, printed in boldface type of a minimum size
4 of ten points, which reads as follows:

5 THIS DISCLOSURE STATEMENT CONTAINS IMPORTANT MATTERS TO BE
6 CONSIDERED IN THE EXECUTION OF A MEMBERSHIP CAMPING CONTRACT.
7 THE MEMBERSHIP CAMPING OPERATOR IS REQUIRED BY LAW TO DELIVER
8 TO YOU A COPY OF THIS DISCLOSURE STATEMENT BEFORE YOU EXECUTE
9 A MEMBERSHIP CAMPING CONTRACT. THE STATEMENTS CONTAINED IN
10 THIS DOCUMENT ARE ONLY SUMMARY IN NATURE. YOU AS A PROSPECTIVE
11 PURCHASER SHOULD REVIEW ALL REFERENCES, EXHIBITS, CONTRACT
12 DOCUMENTS, AND SALES MATERIALS. YOU SHOULD NOT RELY UPON ANY
13 ORAL REPRESENTATIONS AS BEING CORRECT. REFER TO THIS DOCUMENT
14 AND TO THE ACCOMPANYING EXHIBITS FOR CORRECT REPRESENTATIONS.
15 THE MEMBERSHIP CAMPING OPERATOR IS PROHIBITED FROM MAKING ANY
16 REPRESENTATIONS WHICH CONFLICT WITH THOSE CONTAINED IN THE
17 CONTRACT AND THIS DISCLOSURE STATEMENT.

18 *e.* A statement, printed in boldface type of a minimum size
19 of ten points, which reads as follows:

20 IF YOU EXECUTE A MEMBERSHIP CAMPING CONTRACT, YOU HAVE
21 THE UNQUALIFIED RIGHT TO CANCEL THE CONTRACT. THIS RIGHT OF
22 CANCELLATION CANNOT BE WAIVED. THE RIGHT TO CANCEL EXPIRES
23 AT MIDNIGHT ON THE THIRD BUSINESS DAY FOLLOWING THE DATE ON
24 WHICH THE CONTRACT WAS EXECUTED OR THE DATE OF RECEIPT OF
25 THIS DISCLOSURE STATEMENT, WHICHEVER EVENT OCCURS LATER. TO
26 CANCEL THE MEMBERSHIP CAMPING CONTRACT, YOU AS THE PURCHASER
27 MUST HAND DELIVER OR MAIL NOTICE OF YOUR INTENT TO CANCEL TO
28 THE MEMBERSHIP CAMPING OPERATOR AT THE ADDRESS SHOWN IN THE
29 MEMBERSHIP CAMPING CONTRACT, POSTAGE PREPAID. THE MEMBERSHIP
30 CAMPING OPERATOR IS REQUIRED BY LAW TO RETURN ALL MONEYS PAID
31 BY YOU IN CONNECTION WITH THE EXECUTION OF THE MEMBERSHIP
32 CAMPING CONTRACT, UPON YOUR PROPER AND TIMELY CANCELLATION OF
33 THE CONTRACT AND RETURN OF ALL MEMBERSHIP AND RECIPROCAL USE
34 PROGRAM MATERIALS FURNISHED AT THE TIME OF PURCHASE.

35 ~~2.~~ 3. The following pages of the disclosure statement shall

1 contain all of the following in the order stated:

2 *a.* The name, principal occupation, and address of every
3 director, partner, or controlling person of the membership
4 camping operator.

5 *b.* A brief description of the nature of the purchaser's
6 right or license to use the campground and the facilities which
7 are to be available for use by purchasers.

8 *c.* A brief description of the membership camping operator's
9 experience in the membership camping business, including the
10 length of time the operator has been in the membership camping
11 business.

12 *d.* The location of each of the campgrounds which is to be
13 available for use by purchasers and a brief description of the
14 facilities at each campground which are currently available for
15 use by purchasers. Facilities which are planned, incomplete,
16 or not yet available for use shall be clearly identified
17 as incomplete or unavailable. A brief description of any
18 facilities that are or will be available to nonpurchasers shall
19 also be provided. The description shall include, but need
20 not be limited to, the number of campsites in each park, the
21 number of campsites in each park with full or partial hookups,
22 swimming pools, tennis courts, recreation buildings, restrooms
23 and showers, laundry rooms, trading posts, and grocery stores.

24 *e.* The fees and charges that purchasers are or may
25 be required to pay for the use of the campground or any
26 facilities.

27 *f.* Any initial or special fee due from the purchaser,
28 together with a description of the purpose and method of
29 calculating the fee.

30 *g.* The extent to which financial arrangements, if any, have
31 been provided for the completion of facilities, together with
32 a statement of the membership camping operator's obligation
33 to complete planned facilities. The statement shall include
34 a description of any restrictions or limitations on the
35 membership camping operator's obligation to begin or to

1 complete the facilities.

2 *h.* The names of the managing entity, if any, and the
3 significant terms of any management contract, including but
4 not limited to, the circumstances under which the membership
5 camping operator may terminate the management contract.

6 *i.* A summary or copy, whether by way of supplement or
7 otherwise, of the rules, restrictions, or covenants regulating
8 the purchaser's use of the campground and the facilities
9 which are to be available for use by the purchaser, including
10 a statement of whether and how the rules, restrictions, or
11 covenants may be changed.

12 *j.* A brief description of the policies covering the
13 availability of camping sites, the availability of reservations
14 and the conditions under which they are made.

15 *k.* A brief description of any grounds for forfeiture of a
16 purchaser's membership camping contract.

17 *l.* A statement of whether the membership camping operator
18 has the right to withdraw permanently from use, all or any
19 portion of any campground devoted to membership camping and,
20 if so, the conditions under which the withdrawal is to be
21 permitted.

22 *m.* A statement describing the material terms and conditions
23 of any reciprocal program to be available to the purchaser,
24 including a statement concerning whether the purchaser's
25 participation in any reciprocal program is dependent on the
26 continued affiliation of the membership camping operator with
27 that reciprocal program and whether the membership camping
28 operator reserves the right to terminate such affiliation.

29 *n.* As to all memberships offered by the membership camping
30 operator at each campground, all of the following:

31 (1) The form of membership offered.

32 (2) The types of duration of membership along with a
33 summary of the major privileges, restrictions, and limitations
34 applicable to each type.

35 (3) Provisions that have been made for public utilities

1 at each campsite including water, electricity, telephone, and
2 sewage facilities.

3 o. A statement of the assistance, if any, that the
4 membership camping operator will provide to the purchaser in
5 the resale of membership camping contracts and a detailed
6 description of how any such resale program is operated.

7 p. The following statement, printed in boldface type of a
8 minimum size of ten points:

9 REGISTRATION OF THE MEMBERSHIP CAMPING OPERATOR WITH THE IOWA
10 ATTORNEY GENERAL DOES NOT CONSTITUTE AN APPROVAL OR ENDORSEMENT
11 BY THE ATTORNEY GENERAL OF THE MEMBERSHIP CAMPING OPERATOR, THE
12 MEMBERSHIP CAMPING CONTRACT, OR THE CAMPGROUND.

13 4. The membership camping operator shall promptly amend the
14 disclosure statement to reflect any material change and shall
15 promptly file any such amendments with the attorney general.

16 Sec. 177. Section 562A.15, subsections 1 and 2, Code 2013,
17 are amended to read as follows:

18 1. a. The landlord shall:

19 a. (1) Comply with the requirements of applicable building
20 and housing codes materially affecting health and safety.

21 b. (2) Make all repairs and do whatever is necessary to put
22 and keep the premises in a fit and habitable condition.

23 c. (3) Keep all common areas of the premises in a clean
24 and safe condition. The landlord shall not be liable for any
25 injury caused by any objects or materials which belong to or
26 which have been placed by a tenant in the common areas of the
27 premises used by the tenant.

28 d. (4) Maintain in good and safe working order and
29 condition all electrical, plumbing, sanitary, heating,
30 ventilating, air-conditioning, and other facilities and
31 appliances, including elevators, supplied or required to be
32 supplied by the landlord.

33 e. (5) Provide and maintain appropriate receptacles and
34 conveniences, accessible to all tenants, for the central
35 collection and removal of ashes, garbage, rubbish, and other

1 waste incidental to the occupancy of the dwelling unit and
2 arrange for their removal.

3 ~~f.~~ (6) Supply running water and reasonable amounts of
4 hot water at all times and reasonable heat, except where the
5 building that includes the dwelling unit is not required by
6 law to be equipped for that purpose, or the dwelling unit
7 is so constructed that heat or hot water is generated by an
8 installation within the exclusive control of the tenant and
9 supplied by a direct public utility connection.

10 b. If the duty imposed by paragraph "a", subparagraph
11 (1), ~~of this subsection~~ is greater than a duty imposed by
12 another subparagraph of paragraph "a" of this subsection, the
13 landlord's duty shall be determined by reference to paragraph
14 "a", subparagraph (1) of this subsection.

15 2. The landlord and tenant of a single family residence may
16 agree in writing that the tenant perform the landlord's duties
17 specified in ~~paragraphs "e" and "f" of subsection 1, paragraph~~
18 "a", subparagraphs (5) and (6), and also specified repairs,
19 maintenance tasks, alterations, and remodeling, but only if the
20 transaction is entered into in good faith.

21 Sec. 178. Section 562A.27A, subsection 3, Code 2013, is
22 amended to read as follows:

23 3. a. This section shall not apply to a tenant if the
24 activities causing the clear and present danger, as defined
25 in subsection 2, are conducted by a person on the premises
26 other than the tenant and the tenant takes at least one of
27 the following measures against the person conducting the
28 activities:

29 ~~a.~~ (1) The tenant seeks a protective order, restraining
30 order, order to vacate the homestead, or other similar relief
31 pursuant to chapter 236, 598, 664A, or 915, or any other
32 applicable provision which would apply to the person conducting
33 the activities causing the clear and present danger.

34 ~~b.~~ (2) The tenant reports the activities causing the clear
35 and present danger to a law enforcement agency or the county

1 attorney in an effort to initiate a criminal action against the
2 person conducting the activities.

3 ~~c.~~ (3) The tenant writes a letter to the person conducting
4 the activities causing the clear and present danger, telling
5 the person not to return to the premises and that a return to
6 the premises may result in a trespass or other action against
7 the person, and the tenant sends a copy of the letter to a law
8 enforcement agency whose jurisdiction includes the premises.
9 If the tenant has previously written a letter to the person
10 as provided in this ~~paragraph~~ subparagraph, without taking an
11 action specified in ~~paragraph "a"~~ subparagraph (1) or ~~"b"~~ (2)
12 or filing a trespass or other action, and the person to whom
13 the letter was sent conducts further activities causing a clear
14 and present danger, the tenant must take one of the actions
15 specified in ~~paragraph "a"~~ subparagraph (1) or ~~"b"~~ (2) to be
16 exempt from proceedings pursuant to subsection 1.

17 b. However, in order to fall within the exemptions provided
18 within this subsection, the tenant must provide written proof
19 to the landlord, prior to the commencement of a suit against
20 the tenant, that the tenant has taken one of the measures
21 specified in ~~paragraphs~~ paragraph "a", subparagraphs (1)
22 through "c" (3).

23 Sec. 179. Section 562B.11, subsection 2, Code 2013, is
24 amended to read as follows:

25 2. A provision prohibited by subsection 1 ~~of this section~~
26 included in a rental agreement is unenforceable. If a landlord
27 or tenant knowingly uses a rental agreement containing
28 provisions known to be prohibited by this chapter, the other
29 party may recover actual damages sustained.

30 3. Nothing in this chapter shall prohibit a rental agreement
31 from requiring a tenant to maintain liability insurance which
32 names the landlord as an insured as relates to the mobile home
33 space rented by the tenant.

34 Sec. 180. Section 562B.25A, subsection 3, Code 2013, is
35 amended to read as follows:

1 3. a. This section shall not apply to a tenant if the
 2 activities causing the clear and present danger, as defined
 3 in subsection 2, are conducted by a person on the premises
 4 other than the tenant and the tenant takes at least one of
 5 the following measures against the person conducting the
 6 activities:

7 ~~a.~~ (1) The tenant seeks a protective order, restraining
 8 order, order to vacate the homestead, or other similar relief
 9 pursuant to chapter 236, 598, 664A, or 915, or any other
 10 applicable provision which would apply to the person conducting
 11 the activities causing the clear and present danger.

12 ~~b.~~ (2) The tenant reports the activities causing the clear
 13 and present danger to a law enforcement agency or the county
 14 attorney in an effort to initiate a criminal action against the
 15 person conducting the activities.

16 ~~c.~~ (3) The tenant writes a letter to the person conducting
 17 the activities causing the clear and present danger, telling
 18 the person not to return to the premises and that a return to
 19 the premises may result in a trespass or other action against
 20 the person, and the tenant sends a copy of the letter to a law
 21 enforcement agency whose jurisdiction includes the premises.
 22 If the tenant has previously written a letter to the person
 23 as provided in this ~~paragraph~~ subparagraph, without taking an
 24 action specified in ~~paragraph "a"~~ subparagraph (1) or ~~"b"~~ (2)
 25 or filing a trespass or other action, and the person to whom
 26 the letter was sent conducts further activities causing a clear
 27 and present danger, the tenant must take one of the actions
 28 specified in ~~paragraph "a"~~ subparagraph (1) or ~~"b"~~ (2) to be
 29 exempt from proceedings pursuant to subsection 1.

30 b. However, in order to fall within the exemptions provided
 31 within this subsection, the tenant must provide written proof
 32 to the landlord, prior to the commencement of a suit against
 33 the tenant, that the tenant has taken one of the measures
 34 specified in ~~paragraphs~~ paragraph "a", subparagraphs (1)
 35 through "c" (3).

1 Sec. 181. Section 585.3, Code 2013, is amended to read as
2 follows:

3 **585.3 Caption of publication.**

4 1. The publication required by this chapter shall be made
5 under the following caption or heading, to wit:

6 Proposed bill for the legalization of the proceedings of
7 (name of official body).

8 2. If the proposed bill be for the legalization of the bonds
9 or warrants of the public corporation, the caption shall be
10 modified accordingly.

11 Sec. 182. Section 600.16A, subsection 3, Code 2013, is
12 amended to read as follows:

13 3. a. In addition to other procedures by which adoption
14 records may be opened under this section, if both of the
15 following conditions are met, the department, the clerk of
16 court, or the agency which made the placement shall open the
17 adoption record for inspection and shall reveal the identity
18 of the biological parents to the adult adopted child or the
19 identity of the adult adopted child to the biological parents:

20 ~~a.~~ (1) A biological parent has placed in the adoption
21 record written consent to revelation of the biological parent's
22 identity to the adopted child at an age specified by the
23 biological parent, upon request of the adopted child.

24 ~~b.~~ (2) An adult adopted child has placed in the adoption
25 record written consent to revelation of the identity of the
26 adult adopted child to a biological parent.

27 b. A person who has placed in the adoption record written
28 consent pursuant to paragraph "a", subparagraph (1) or "~~b~~"
29 ~~of this subsection~~ (2) may withdraw the consent at any time
30 by placing a written withdrawal of consent statement in the
31 adoption record.

32 c. Notwithstanding the provisions of this subsection, if
33 the adult adopted person has a sibling who is a minor and who
34 has also been adopted by the same parents, the department, the
35 clerk of court, or the agency which made the placement may

1 deny the request of either the adult adopted person or the
2 biological parent to open the adoption records and to reveal
3 the identities of the parties pending determination by the
4 juvenile court or court that there is good cause to open the
5 records pursuant to subsection 2.

6 Sec. 183. Section 602.1606, Code 2013, is amended to read
7 as follows:

8 **602.1606 Judicial officer disqualified.**

9 1. A judicial officer is disqualified from acting in a
10 proceeding, except upon the consent of all of the parties, if
11 any of the following circumstances exists:

12 ~~1-~~ a. The judicial officer has a personal bias or
13 prejudice concerning a party, or personal knowledge of disputed
14 evidentiary facts concerning the proceeding.

15 ~~2-~~ b. The judicial officer served as a lawyer in the matter
16 in controversy, or a lawyer with whom the judicial officer
17 previously practiced law served during that association as a
18 lawyer concerning the matter, or the judicial officer or such
19 lawyer has been a material witness concerning the matter.

20 ~~3-~~ c. The judicial officer knows that the officer,
21 individually or as a fiduciary, or the officer's spouse or a
22 person related to either of them by consanguinity or affinity
23 within the third degree or the spouse of such a person has a
24 financial interest in the subject matter in controversy or in a
25 party to the proceeding, or has any other interest that could
26 be substantially affected by the outcome of the proceeding.

27 ~~4-~~ d. The judicial officer or the officer's spouse, or a
28 person related to either of them by consanguinity or affinity
29 within the third degree or the spouse of such a person, is a
30 party to the proceeding, or an officer, director, or trustee
31 of a party, or is acting as a lawyer in the proceeding, or is
32 known by the judicial officer to have an interest that could be
33 substantially affected by the outcome of the proceeding, or is,
34 to the judicial officer's knowledge, likely to be a material
35 witness in the proceeding.

1 2. A judicial officer shall disclose to all parties in a
 2 proceeding any existing circumstances in ~~subsections~~ subsection
 3 1, paragraphs "a" through 4 "d", before the parties consent to
 4 the judicial officer's presiding in the proceeding.

5 Sec. 184. Section 607A.22, Code 2013, is amended to read as
 6 follows:

7 **607A.22 Use of source lists — information provided.**

8 1. The appointive jury commission or the jury manager shall
 9 use both of the following source lists in preparing grand and
 10 petit jury lists:

11 ~~1.~~ a. The current voter registration list.

12 ~~2.~~ b. The current motor vehicle operators list.

13 2. The appointive jury commission or the jury manager may
 14 use any other current comprehensive list of persons residing in
 15 the county, including but not limited to the lists of public
 16 utility customers, which the appointive jury commission or
 17 jury manager determines are useable for the purpose of a juror
 18 source list.

19 3. The applicable state and local government officials
 20 shall furnish, upon request, the appointive jury commission or
 21 jury manager with copies of lists necessary for the formulation
 22 of source lists at no cost to the commission, manager, or
 23 county.

24 4. The jury manager or jury commission may request
 25 a consolidated source list. A consolidated source list
 26 contains all the names and addresses found in either the voter
 27 registration list or the motor vehicle operators list, but does
 28 not duplicate an individual's name within the consolidated
 29 list. State officials shall cooperate with one another
 30 to prepare consolidated lists. The jury manager or jury
 31 commission may further request that only a randomly chosen
 32 portion of the consolidated list be prepared which may consist
 33 of either a certain number of names or a certain percentage of
 34 all the names in the consolidated list, as specified by the
 35 jury manager or jury commission.

1 Sec. 185. Section 607A.27, Code 2013, is amended to read as
2 follows:

3 **607A.27 Preparation for drawing of panels.**

4 1. The names entered upon the appointive jury commission's
5 or jury manager's lists and deposited in the office of the
6 clerk or jury manager constitute the grand and petit master
7 lists, from which grand and petit jurors shall be drawn.

8 2. Within ten days after the lists are deposited in the
9 office of the clerk or jury manager, the clerk or jury manager
10 shall do either of the following:

11 ~~1.~~ a. Prepare from the lists separate ballots, uniform in
12 size, shape, and appearance, and folded to conceal information
13 on the ballot. The ballots for grand and petit jurors shall be
14 kept separate and each ballot shall contain the name and place
15 of residence of each prospective juror.

16 ~~2.~~ b. Use electronic data processing equipment for the
17 storage of names of the grand and petit jurors. The numerical
18 division required in section 607A.21 need not be used when a
19 jury wheel is used for the preparation of the lists.

20 Sec. 186. Section 619.19, Code 2013, is amended to read as
21 follows:

22 **619.19 Verification not required — affidavits.**

23 1. Pleadings need not be verified unless otherwise required
24 by statute. Where a pleading is verified, it is not necessary
25 that subsequent pleadings be verified unless otherwise required
26 by statute.

27 2. The signature of a party, the party's legal counsel, or
28 any other person representing the party, to a motion, pleading,
29 or other paper is a certificate that:

30 ~~1.~~ a. The person has read the motion, pleading, or other
31 paper.

32 ~~2.~~ b. To the best of the person's knowledge, information,
33 and belief, formed after reasonable inquiry, it is grounded in
34 fact and is warranted by existing law or a good faith argument
35 for the extension, modification, or reversal of existing law.

1 ~~3.~~ c. It is not interposed for any improper purpose, such
2 as to harass or cause an unnecessary delay or needless increase
3 in the cost of litigation.

4 3. If a motion, pleading, or other paper is not signed,
5 it shall be stricken unless it is signed promptly after the
6 omission is called to the attention of the pleader or movant.

7 4. If a motion, pleading, or other paper is signed in
8 violation of this section, the court, upon motion or upon its
9 own initiative, shall impose upon the person signing, the
10 represented party, or both, an appropriate sanction, which may
11 include an order to pay the other party or parties the amount
12 of the reasonable expenses incurred because of the filing of
13 the motion, pleading, or other paper, including a reasonable
14 attorney fee.

15 Sec. 187. Section 625A.9, subsection 2, paragraph a, Code
16 2013, is amended to read as follows:

17 a. (1) Except as provided in paragraph "b", if the judgment
18 or order appealed from is for money, such bond shall not exceed
19 one hundred ten percent of the amount of the money judgment.

20 (2) The court may set a bond in an amount in excess of
21 one hundred ten percent of the amount of the money judgment
22 upon making specific findings justifying such an amount, and
23 in doing so, shall consider, but shall not be limited to
24 consideration of, the following criteria:

25 ~~(1)~~ (a) The availability and cost of the bond or other form
26 of adequate security.

27 ~~(2)~~ (b) The assets of the judgment debtor and of the
28 judgment debtor's insurer or indemnitor, if any.

29 ~~(3)~~ (c) The potential adverse effects of the bond on the
30 judgment debtor, including, but not limited to, the potential
31 adverse effects on the judgment debtor's employees, financial
32 stability, and business operations.

33 ~~(4)~~ (d) The potential adverse effects of the bond on the
34 judgment creditor and third parties, including public entities.

35 ~~(5)~~ (e) In a class action suit, the adequacy of the bond to

1 compensate all members of the class.

2 Sec. 188. Section 627.6, subsection 6, Code 2013, is amended
3 to read as follows:

4 6. The interest of an individual in any accrued dividend
5 or interest, loan or cash surrender value of, or any other
6 interest in a life insurance policy owned by the individual
7 if the beneficiary of the policy is the individual's spouse,
8 child, or dependent. However, the amount of the exemption
9 shall not exceed ten thousand dollars in the aggregate of any
10 interest or value in insurance acquired within two years of
11 the date execution is issued or exemptions are claimed, or
12 for additions within the same time period to a prior existing
13 policy which additions are in excess of the amount necessary to
14 fund the amount of face value coverage of the policies for the
15 two-year period. For purposes of this unnumbered paragraph,
16 acquisitions shall not include such interest in new policies
17 used to replace prior policies to the extent of any accrued
18 dividend or interest, loan or cash surrender value of, or any
19 other interest in the prior policies at the time of their
20 cancellation.

21 a. In the absence of a written agreement or assignment to
22 the contrary, upon the death of the insured any benefit payable
23 to the spouse, child, or dependent of the individual under a
24 life insurance policy shall inure to the separate use of the
25 beneficiary independently of the insured's creditors.

26 b. A benefit or indemnity paid under an accident, health, or
27 disability insurance policy is exempt to the insured or in case
28 of the insured's death to the spouse, child, or dependent of
29 the insured, from the insured's debts.

30 c. In case of an insured's death the avails of all matured
31 policies of life, accident, health, or disability insurance
32 payable to the surviving spouse, child, or dependent are exempt
33 from liability for all debts of the beneficiary contracted
34 prior to death of the insured, but the amount thus exempted
35 shall not exceed fifteen thousand dollars in the aggregate.

1 Sec. 189. Section 627.6, subsection 8, paragraph f, Code
2 2013, is amended to read as follows:

3 f. (1) Contributions and assets, including the accumulated
4 earnings and market increases in value, in any of the plans or
5 contracts as follows:

6 ~~(1)~~ (a) All transfers, in any amount, from a trust forming
7 part of a stock, bonus, pension, or profit-sharing plan of an
8 employer defined in section 401(a) of the Internal Revenue Code
9 and of which the trust assets are exempt from taxation under
10 section 501(a) of the Internal Revenue Code and covered by
11 the Employee Retirement Income Security Act of 1974 (ERISA),
12 as codified at 29 U.S.C. § 1001 et seq., to either of the
13 following:

14 ~~(a)~~ (i) A succeeding trust authorized under federal law on
15 or after April 25, 2001.

16 ~~(b)~~ (ii) An individual retirement account or individual
17 retirement annuity established under section 408(d)(3) of the
18 Internal Revenue Code, from which the total value, including
19 accumulated earnings and market increases in value, may be
20 contributed to a succeeding trust authorized under federal law
21 on or after April 25, 2001. For purposes of this subparagraph
22 division, transfers, in any amount, from an individual
23 retirement account or individual retirement annuity established
24 under section 408(d)(3) of the Internal Revenue Code to an
25 individual retirement account or individual retirement annuity
26 established under section 408(d)(3) of the Internal Revenue
27 Code, or an individual retirement account established under
28 section 408(a) of the Internal Revenue Code, or an individual
29 retirement annuity established under section 408(b) of the
30 Internal Revenue Code, or a Roth individual retirement account,
31 or a Roth individual retirement annuity established under
32 section 408A of the Internal Revenue Code are exempt.

33 ~~(2)~~ (b) (i) All transfers, in any amount, from an
34 eligible retirement plan to an individual retirement account,
35 an individual retirement annuity, a Roth individual retirement

1 account, or a Roth individual retirement annuity established
 2 under section 408A of the Internal Revenue Code shall be exempt
 3 from execution and from the claims of creditors.

4 (ii) As used in this subparagraph division, "*eligible*
 5 *retirement plan*" means the funds or assets in any retirement
 6 plan established under state or federal law that meet all of
 7 the following requirements:

8 ~~(a)~~ (A) Can be transferred to an individual retirement
 9 account or individual retirement annuity established under
 10 sections 408(a) and 408(b) of the Internal Revenue Code or Roth
 11 individual retirement accounts and Roth individual retirement
 12 annuities established under section 408A of the Internal
 13 Revenue Code.

14 ~~(b)~~ (B) Are either exempt from execution under state or
 15 federal law or are excluded from a bankruptcy estate under 11
 16 U.S.C. § 541(c)(2) et seq.

17 ~~(3)~~ (c) Retirement plans established pursuant to qualified
 18 domestic relations orders, as defined in 26 U.S.C. § 414.
 19 However, nothing in this section shall be construed as making
 20 any retirement plan exempt from the claims of the beneficiary
 21 of a qualified domestic relations order or from claims for
 22 child support or alimony.

23 ~~(4)~~ (d) For simplified employee pension plans,
 24 self-employed pension plans (also known as Keogh plans or
 25 H.R. 10 plans), individual retirement accounts established
 26 under section 408(a) of the Internal Revenue Code, individual
 27 retirement annuities established under section 408(b) of the
 28 Internal Revenue Code, savings incentive matched plans for
 29 employees, salary reduction simplified employee pension plans
 30 (also known as SARSEPs), and similar plans for retirement
 31 investments authorized in the future under federal law, the
 32 exemption for contributions shall not exceed, for each tax
 33 year of contributions, the actual amount of the contribution
 34 deducted on the debtor's tax return or the maximum amount
 35 which could be contributed to an individual retirement account

1 established under section 408(a) of the Internal Revenue Code
 2 and deducted in the tax year of the contribution, whichever
 3 is less. The exemption for accumulated earnings and market
 4 increases in value of plans under this subparagraph division
 5 shall be limited to an amount determined by multiplying all
 6 the accumulated earnings and market increases in value by a
 7 fraction, the numerator of which is the total amount of exempt
 8 contributions as determined by this subparagraph division, and
 9 the denominator of which is the total of exempt and nonexempt
 10 contributions to the plan.

11 ~~(5)~~ (e) For Roth individual retirement accounts and Roth
 12 individual retirement annuities established under section 408A
 13 of the Internal Revenue Code and similar plans for retirement
 14 investments authorized in the future under federal law, the
 15 exemption for contributions shall not exceed, for each tax year
 16 of contributions, the actual amount of the contribution or the
 17 maximum amount which federal law allows to be contributed to
 18 such plans. The exemption for accumulated earnings and market
 19 increases in value of plans under this subparagraph division
 20 shall be limited to an amount determined by multiplying all of
 21 the accumulated earnings and market increases in value by a
 22 fraction, the numerator of which is the total amount of exempt
 23 contributions as determined by this subparagraph division, and
 24 the denominator of which is the total of exempt and nonexempt
 25 contributions to the plan.

26 ~~(6)~~ (f) For all contributions to plans described in
 27 ~~subparagraphs (4)~~ subparagraph divisions (d) and ~~(5)~~ (e), the
 28 maximum contribution in each of the two tax years preceding
 29 the claim of exemption or filing of a bankruptcy shall be
 30 limited to the maximum deductible contribution to an individual
 31 retirement account established under section 408(a) of the
 32 Internal Revenue Code, regardless of which plan for retirement
 33 investment has been chosen by the debtor.

34 ~~(7)~~ (g) Exempt assets transferred from any individual
 35 retirement account, individual retirement annuity, Roth

1 individual retirement account, or Roth individual retirement
2 annuity to any other individual retirement account, individual
3 retirement annuity, Roth individual retirement annuity,
4 or Roth individual retirement account established under
5 section 408A of the Internal Revenue Code shall continue
6 to be exempt regardless of the number of times transferred
7 between individual retirement accounts, individual retirement
8 annuities, Roth individual retirement annuities, or Roth
9 individual retirement accounts.

10 (2) For purposes of this paragraph "*f*", "*market increases in*
11 *value*" shall include, but shall not be limited to, dividends,
12 stock splits, interest, and appreciation. "*Contributions*" means
13 contributions by the debtor and by the debtor's employer.

14 Sec. 190. Section 633.197, Code 2013, is amended to read as
15 follows:

16 **633.197 Compensation.**

17 1. Personal representatives shall be allowed such
18 reasonable fees as may be determined by the court for services
19 rendered, but not in excess of the following commissions upon
20 the gross assets of the estate listed in the probate inventory,
21 which shall be received as full compensation for all ordinary
22 services:

23 a. For the first one thousand dollars, six percent~~+~~.

24 b. For the overplus between one and five thousand dollars,
25 four percent~~+~~.

26 c. For all sums over five thousand dollars, two percent.

27 2. For purposes of this section, the gross assets of the
28 estate shall not include life insurance proceeds, unless
29 payable to the decedent's estate.

30 Sec. 191. Section 633.228, Code 2013, is amended to read as
31 follows:

32 **633.228 Time allowed.**

33 1. To file such petition, there shall be allowed, commencing
34 with the death of the decedent:

35 ~~1-~~ a. To the surviving spouse, a period of twenty days~~+~~.

1 ~~2.~~ b. To each other class in succession, a period of ten
2 days.

3 2. The period allowed each class shall be advanced to the
4 period allowed the preceding class if there is no member of
5 such preceding class. Any member of any class may file such
6 petition after the expiration of the period allowed to the
7 member if letters have not been issued prior thereto.

8 Sec. 192. Section 633.290, Code 2013, is amended to read as
9 follows:

10 **633.290 Petition for probate of will.**

11 1. At the time the will of a decedent is filed with the
12 clerk, or thereafter, any interested person may file a verified
13 petition in the district court of the proper county:

14 ~~1.~~ a. To have the will admitted to probate~~7.~~

15 ~~2.~~ b. For the appointment of the executor.

16 2. A petition for probate may be combined with a petition
17 for appointment of the executor, and any person interested
18 in either the probate of a will or in the appointment of the
19 executor, may petition for both.

20 Sec. 193. Section 633A.3107, subsection 2, unnumbered
21 paragraph 2, Code 2013, is amended to read as follows:

22 3. For the purposes of this section, "*relative of the*
23 *settlor's spouse*" means a person who is related to the divorced
24 settlor's former spouse by blood, adoption, or affinity, and
25 who, subsequent to the divorce or dissolution of marriage,
26 ceased to be related to the settlor by blood, adoption, or
27 affinity.

28 Sec. 194. Section 654.12A, Code 2013, is amended to read as
29 follows:

30 **654.12A Priority of advances under mortgages.**

31 1. Subject to section 572.18, if a prior recorded mortgage
32 contains the notice prescribed in this section and identifies
33 the maximum credit available to the borrower, then loans and
34 advances made under the mortgage, up to the maximum amount
35 of credit together with interest thereon, are senior to

1 indebtedness to other creditors under subsequently recorded
2 mortgages and other subsequently recorded or filed liens even
3 though the holder of the prior recorded mortgage has actual
4 notice of indebtedness under a subsequently recorded mortgage
5 or other subsequently recorded or filed lien. So long as
6 credit is available to the borrower, payment of the outstanding
7 mortgage balance to zero shall not extinguish the prior
8 recorded mortgage if it contains the notice prescribed by this
9 section. The notice prescribed by this section for the prior
10 recorded mortgage is as follows:

11 NOTICE: This mortgage secures credit in the amount of
12 Loans and advances up to this amount, together with
13 interest, are senior to indebtedness to other creditors under
14 subsequently recorded or filed mortgages and liens.

15 2. However, the priority of a prior recorded mortgage
16 under this section does not apply to loans or advances made
17 after receipt of notice of foreclosure or action to enforce a
18 subsequently recorded mortgage or other subsequently recorded
19 or filed lien.

20 Sec. 195. Section 654.20, Code 2013, is amended to read as
21 follows:

22 **654.20 Foreclosure without redemption — nonagricultural**
23 **land.**

24 1. If the mortgaged property is not used for an agricultural
25 purpose as defined in section 535.13, the plaintiff in an
26 action to foreclose a real estate mortgage may include in the
27 petition an election for foreclosure without redemption. The
28 election is effective only if the first page of the petition
29 contains the following notice in capital letters of the same
30 type or print size as the rest of the petition:

31 NOTICE

32 THE PLAINTIFF HAS ELECTED FORECLOSURE WITHOUT REDEMPTION.
33 THIS MEANS THAT THE SALE OF THE MORTGAGED PROPERTY WILL OCCUR
34 PROMPTLY AFTER ENTRY OF JUDGMENT UNLESS YOU FILE WITH THE COURT
35 A WRITTEN DEMAND TO DELAY THE SALE. IF YOU FILE A WRITTEN

1 DEMAND, THE SALE WILL BE DELAYED UNTIL TWELVE MONTHS (or
2 SIX MONTHS if the petition includes a waiver of deficiency
3 judgment) FROM ENTRY OF JUDGMENT IF THE MORTGAGED PROPERTY
4 IS YOUR RESIDENCE AND IS A ONE-FAMILY OR TWO-FAMILY DWELLING
5 OR UNTIL TWO MONTHS FROM ENTRY OF JUDGMENT IF THE MORTGAGED
6 PROPERTY IS NOT YOUR RESIDENCE OR IS YOUR RESIDENCE BUT NOT A
7 ONE-FAMILY OR TWO-FAMILY DWELLING. YOU WILL HAVE NO RIGHT OF
8 REDEMPTION AFTER THE SALE. THE PURCHASER AT THE SALE WILL BE
9 ENTITLED TO IMMEDIATE POSSESSION OF THE MORTGAGED PROPERTY.
10 YOU MAY PURCHASE AT THE SALE.

11 2. If the plaintiff has not included in the petition a
12 waiver of deficiency judgment, then the notice shall include
13 the following:

14 IF YOU DO NOT FILE A WRITTEN DEMAND TO DELAY THE SALE AND IF
15 THE MORTGAGED PROPERTY IS YOUR RESIDENCE AND IS A ONE-FAMILY
16 OR TWO-FAMILY DWELLING, THEN A DEFICIENCY JUDGMENT WILL NOT BE
17 ENTERED AGAINST YOU. IF YOU DO FILE A WRITTEN DEMAND TO DELAY
18 THE SALE, THEN A DEFICIENCY JUDGMENT MAY BE ENTERED AGAINST YOU
19 IF THE PROCEEDS FROM THE SALE OF THE MORTGAGED PROPERTY ARE
20 INSUFFICIENT TO SATISFY THE AMOUNT OF THE MORTGAGE DEBT AND
21 COSTS.

22 IF THE MORTGAGED PROPERTY IS NOT YOUR RESIDENCE OR IS NOT A
23 ONE-FAMILY OR TWO-FAMILY DWELLING, THEN A DEFICIENCY JUDGMENT
24 MAY BE ENTERED AGAINST YOU WHETHER OR NOT YOU FILE A WRITTEN
25 DEMAND TO DELAY THE SALE.

26 3. If the election for foreclosure without redemption is
27 made, then sections 654.21 through 654.26 apply.

28 Sec. 196. Section 670.4, Code 2013, is amended to read as
29 follows:

30 **670.4 Claims exempted.**

31 1. The liability imposed by section 670.2 shall have no
32 application to any claim enumerated in this section. As to any
33 such claim, a municipality shall be liable only to the extent
34 liability may be imposed by the express statute dealing with
35 such claims and, in the absence of such express statute, the

1 municipality shall be immune from liability.

2 ~~1.~~ a. Any claim by an employee of the municipality which is
3 covered by the Iowa workers' compensation law.

4 ~~2.~~ b. Any claim in connection with the assessment or
5 collection of taxes.

6 ~~3.~~ c. Any claim based upon an act or omission of an officer
7 or employee of the municipality, exercising due care, in the
8 execution of a statute, ordinance, or regulation whether the
9 statute, ordinance or regulation is valid, or based upon the
10 exercise or performance or the failure to exercise or perform a
11 discretionary function or duty on the part of the municipality
12 or an officer or employee of the municipality, whether or not
13 the discretion is abused.

14 ~~4.~~ d. Any claim against a municipality as to which the
15 municipality is immune from liability by the provisions of any
16 other statute or where the action based upon such claim has
17 been barred or abated by operation of statute or rule of civil
18 procedure.

19 ~~5.~~ e. Any claim for punitive damages.

20 ~~6.~~ f. Any claim for damages caused by a municipality's
21 failure to discover a latent defect in the course of an
22 inspection.

23 ~~7.~~ g. Any claim based upon or arising out of a claim
24 of negligent design or specification, negligent adoption
25 of design or specification, or negligent construction or
26 reconstruction of a highway, secondary road, or street as
27 defined in section 321.1, subsection 78, that was constructed
28 or reconstructed in accordance with a generally recognized
29 engineering or safety standard, criteria, or design theory in
30 existence at the time of the construction or reconstruction. A
31 claim under this chapter shall not be allowed for failure to
32 upgrade, improve, or alter any aspect of an existing highway,
33 secondary road, or street, to new, changed, or altered design
34 standards. In respect to highways and roads, sealcoating,
35 asphaltting, patching, resurfacing, ditching, draining,

1 repairing, graveling, rocking, blading, or maintaining an
2 existing highway or road does not constitute reconstruction.
3 This ~~subsection~~ paragraph shall not apply to claims based upon
4 gross negligence.

5 ~~8.~~ h. Any claim based upon or arising out of a claim of
6 negligent design or specification, negligent adoption of design
7 or specification, or negligent construction or reconstruction
8 of a public improvement as defined in section 384.37,
9 subsection 19, or other public facility that was constructed
10 or reconstructed in accordance with a generally recognized
11 engineering or safety standard, criteria, or design theory in
12 existence at the time of the construction or reconstruction. A
13 claim under this chapter shall not be allowed for failure to
14 upgrade, improve, or alter any aspect of an existing public
15 improvement or other public facility to new, changed, or
16 altered design standards. This ~~subsection~~ paragraph shall not
17 apply to claims based upon gross negligence. This ~~subsection~~
18 paragraph takes effect July 1, 1984, and applies to all cases
19 tried or retried on or after July 1, 1984.

20 ~~9.~~ i. Any claim based upon an act or omission by an officer
21 or employee of the municipality or the municipality's governing
22 body, in the granting, suspension, or revocation of a license
23 or permit, where the damage was caused by the person to whom
24 the license or permit was issued, unless the act of the officer
25 or employee constitutes actual malice or a criminal offense.

26 ~~10.~~ j. Any claim based upon an act or omission of an
27 officer or employee of the municipality, whether by issuance of
28 permit, inspection, investigation, or otherwise, and whether
29 the statute, ordinance, or regulation is valid, if the damage
30 was caused by a third party, event, or property not under the
31 supervision or control of the municipality, unless the act or
32 omission of the officer or employee constitutes actual malice
33 or a criminal offense.

34 ~~11.~~ k. A claim based upon or arising out of an act or
35 omission in connection with an emergency response including but

1 not limited to acts or omissions in connection with emergency
2 response communications services.

3 ~~12.~~ 1. A claim relating to a swimming pool or spa as
4 defined in section 135I.1 which has been inspected by a
5 municipality or the state in accordance with chapter 135I,
6 or a swimming pool or spa inspection program which has been
7 certified by the state in accordance with that chapter, whether
8 or not owned or operated by a municipality, unless the claim is
9 based upon an act or omission of an officer or employee of the
10 municipality and the act or omission constitutes actual malice
11 or a criminal offense.

12 ~~13.~~ m. A claim based on an act or omission by a county or
13 city pursuant to section 717.2A or chapter 717B relating to
14 either of the following:

15 ~~a.~~ (1) Rescuing neglected livestock or another animal by a
16 law enforcement officer.

17 ~~b.~~ (2) Maintaining or disposing of neglected livestock or
18 another animal by a county or city.

19 ~~14.~~ n. Any claim based upon or arising out of a claim of
20 negligent design or specification, negligent adoption of design
21 or specification, or negligent construction or reconstruction
22 of a public facility designed for purposes of skateboarding,
23 in-line skating, bicycling, unicycling, scootering, river
24 rafting, canoeing, or kayaking that was constructed or
25 reconstructed, reasonably and in good faith, in accordance
26 with generally recognized engineering or safety standards or
27 design theories in existence at the time of the construction
28 or reconstruction.

29 ~~15.~~ o. Any claim based upon or arising out of an act or
30 omission of an officer or employee of the municipality or
31 the municipality's governing body by a person skateboarding,
32 in-line skating, bicycling, unicycling, scootering, river
33 rafting, canoeing, or kayaking on public property when
34 the person knew or reasonably should have known that the
35 skateboarding, in-line skating, bicycling, unicycling,

1 scootering, river rafting, canoeing, or kayaking created a
 2 substantial risk of injury to the person and was voluntarily
 3 in the place of risk. The exemption from liability contained
 4 in this ~~subsection~~ paragraph shall only apply to claims for
 5 injuries or damage resulting from the risks inherent in the
 6 activities of skateboarding, in-line skating, bicycling,
 7 unicycling, scootering, river rafting, canoeing, or kayaking.

8 2. The remedy against the municipality provided by section
 9 670.2 shall hereafter be exclusive of any other civil action
 10 or proceeding by reason of the same subject matter against the
 11 officer, employee or agent whose act or omission gave rise to
 12 the claim, or the officer's, employee's, or agent's estate.

13 3. This section does not expand any existing cause of action
 14 or create any new cause of action against a municipality.

15 Sec. 197. Section 704.2, Code 2013, is amended to read as
 16 follows:

17 **704.2 Deadly force.**

18 1. The term "*deadly force*" means any of the following:

19 ~~1.~~ a. Force used for the purpose of causing serious injury.

20 ~~2.~~ b. Force which the actor knows or reasonably should
 21 know will create a strong probability that serious injury will
 22 result.

23 ~~3.~~ c. The discharge of a firearm, other than a firearm
 24 loaded with less lethal munitions and discharged by a peace
 25 officer, corrections officer, or corrections official in
 26 the line of duty, in the direction of some person with the
 27 knowledge of the person's presence there, even though no intent
 28 to inflict serious physical injury can be shown.

29 ~~4.~~ d. The discharge of a firearm, other than a firearm
 30 loaded with less lethal munitions and discharged by a peace
 31 officer, corrections officer, or corrections official in the
 32 line of duty, at a vehicle in which a person is known to be.

33 2. As used in this section, "*less lethal munitions*"
 34 means projectiles which are designed to stun, temporarily
 35 incapacitate, or cause temporary discomfort to a person without

1 penetrating the person's body.

2 Sec. 198. Section 706.3, Code 2013, is amended to read as
3 follows:

4 **706.3 Penalties.**

5 1. A person who commits a conspiracy to commit a forcible
6 felony is guilty of a class "C" felony.

7 2. A person who commits a conspiracy to commit a felony,
8 other than a forcible felony, is guilty of a class "D" felony.

9 3. A person who commits a conspiracy to commit a misdemeanor
10 is guilty of a misdemeanor of the same class.

11 Sec. 199. Section 707.2, Code 2013, is amended to read as
12 follows:

13 **707.2 Murder in the first degree.**

14 1. A person commits murder in the first degree when the
15 person commits murder under any of the following circumstances:

16 ~~1-~~ a. The person willfully, deliberately, and with
17 premeditation kills another person.

18 ~~2-~~ b. The person kills another person while participating
19 in a forcible felony.

20 ~~3-~~ c. The person kills another person while escaping or
21 attempting to escape from lawful custody.

22 ~~4-~~ d. The person intentionally kills a peace officer,
23 correctional officer, public employee, or hostage while the
24 person is imprisoned in a correctional institution under the
25 jurisdiction of the Iowa department of corrections, or in a
26 city or county jail.

27 ~~5-~~ e. The person kills a child while committing child
28 endangerment under section 726.6, subsection 1, paragraph "b",
29 or while committing assault under section 708.1 upon the child,
30 and the death occurs under circumstances manifesting an extreme
31 indifference to human life.

32 ~~6-~~ f. The person kills another person while participating
33 in an act of terrorism as defined in section 708A.1.

34 2. Murder in the first degree is a class "A" felony.

35 3. For purposes of determining whether a person should

1 register as a sex offender pursuant to the provisions of
2 chapter 692A, the fact finder shall make a determination as
3 provided in section 692A.126.

4 Sec. 200. Section 707.3, Code 2013, is amended to read as
5 follows:

6 **707.3 Murder in the second degree.**

7 1. A person commits murder in the second degree when the
8 person commits murder which is not murder in the first degree.

9 2. Murder in the second degree is a class "B" felony.

10 However, notwithstanding section 902.9, subsection 2 1,
11 paragraph "b", the maximum sentence for a person convicted under
12 this section shall be a period of confinement of not more than
13 fifty years.

14 3. For purposes of determining whether a person should
15 register as a sex offender pursuant to the provisions of
16 chapter 692A, the fact finder shall make a determination as
17 provided in section 692A.126.

18 Sec. 201. Section 709.4, Code 2013, is amended to read as
19 follows:

20 **709.4 Sexual abuse in the third degree.**

21 1. A person commits sexual abuse in the third degree when
22 the person performs a sex act under any of the following
23 circumstances:

24 ~~1-~~ a. The act is done by force or against the will of the
25 other person, whether or not the other person is the person's
26 spouse or is cohabiting with the person.

27 ~~2-~~ b. The act is between persons who are not at the time
28 cohabiting as husband and wife and if any of the following are
29 true:

30 ~~a-~~ (1) The other person is suffering from a mental defect
31 or incapacity which precludes giving consent.

32 ~~b-~~ (2) The other person is twelve or thirteen years of age.

33 ~~c-~~ (3) The other person is fourteen or fifteen years of age
34 and any of the following are true:

35 ~~(1)~~ (a) The person is a member of the same household as the

1 other person.

2 ~~(2)~~ (b) The person is related to the other person by blood
3 or affinity to the fourth degree.

4 ~~(3)~~ (c) The person is in a position of authority over the
5 other person and uses that authority to coerce the other person
6 to submit.

7 ~~(4)~~ (d) The person is four or more years older than the
8 other person.

9 ~~3.~~ c. The act is performed while the other person is under
10 the influence of a controlled substance, which may include but
11 is not limited to flunitrazepam, and all of the following are
12 true:

13 ~~a.~~ (1) The controlled substance, which may include but is
14 not limited to flunitrazepam, prevents the other person from
15 consenting to the act.

16 ~~b.~~ (2) The person performing the act knows or reasonably
17 should have known that the other person was under the influence
18 of the controlled substance, which may include but is not
19 limited to flunitrazepam.

20 ~~4.~~ d. The act is performed while the other person is
21 mentally incapacitated, physically incapacitated, or physically
22 helpless.

23 2. Sexual abuse in the third degree is a class "C" felony.

24 Sec. 202. Section 709.8, Code 2013, is amended to read as
25 follows:

26 **709.8 Lascivious acts with a child.**

27 1. It is unlawful for any person sixteen years of age or
28 older to perform any of the following acts with a child with
29 or without the child's consent unless married to each other,
30 for the purpose of arousing or satisfying the sexual desires
31 of either of them:

32 ~~1.~~ a. Fondle or touch the pubes or genitals of a child.

33 ~~2.~~ b. Permit or cause a child to fondle or touch the
34 person's genitals or pubes.

35 ~~3.~~ c. Solicit a child to engage in a sex act or solicit a

1 person to arrange a sex act with a child.

2 ~~4.~~ d. Inflict pain or discomfort upon a child or permit a
3 child to inflict pain or discomfort on the person.

4 2. a. Any person who violates a provision of this section
5 involving an act included in subsection 1, paragraph "a" or 2
6 "b", shall, upon conviction, be guilty of a class "C" felony.

7 b. Any person who violates a provision of this section
8 involving an act included in subsection 3 1, paragraph "c" or 4
9 "d", shall, upon conviction, be guilty of a class "D" felony.

10 Sec. 203. Section 709.12, Code 2013, is amended to read as
11 follows:

12 **709.12 Indecent contact with a child.**

13 1. A person eighteen years of age or older is upon
14 conviction guilty of an aggravated misdemeanor if the person
15 commits any of the following acts with a child, not the
16 person's spouse, with or without the child's consent, for the
17 purpose of arousing or satisfying the sexual desires of either
18 of them:

19 ~~1.~~ a. Fondle or touch the inner thigh, groin, buttock,
20 anus, or breast of the child.

21 ~~2.~~ b. Touch the clothing covering the immediate area of the
22 inner thigh, groin, buttock, anus, or breast of the child.

23 ~~3.~~ c. Solicit or permit a child to fondle or touch the
24 inner thigh, groin, buttock, anus, or breast of the person.

25 ~~4.~~ d. Solicit a child to engage in any act prohibited under
26 section 709.8, subsection 1, 2 paragraph "a", "b", or 4 "d".

27 2. The provisions of this section shall also apply to a
28 person sixteen or seventeen years of age who commits any of the
29 enumerated acts with a child who is at least five years the
30 person's junior, in which case the juvenile court shall have
31 jurisdiction under chapter 232.

32 Sec. 204. Section 709.16, subsection 2, Code 2013, is
33 amended to read as follows:

34 2. a. An officer, employee, contractor, vendor, volunteer,
35 or agent of a juvenile placement facility who engages in a

1 sex act with a juvenile placed at such facility commits an
2 aggravated misdemeanor.

3 b. For purposes of this subsection, a "*juvenile placement*
4 *facility*" means any of the following:

5 ~~a.~~ (1) A child foster care facility licensed under section
6 237.4.

7 ~~b.~~ (2) Institutions controlled by the department of human
8 services listed in section 218.1.

9 ~~c.~~ (3) Juvenile detention and juvenile shelter care homes
10 approved under section 232.142.

11 ~~d.~~ (4) Psychiatric medical institutions for children
12 licensed under chapter 135H.

13 ~~e.~~ (5) Substance abuse facilities as defined in section
14 125.2.

15 Sec. 205. Section 711.1, Code 2013, is amended to read as
16 follows:

17 **711.1 Robbery defined.**

18 1. A person commits a robbery when, having the intent to
19 commit a theft, the person does any of the following acts to
20 assist or further the commission of the intended theft or the
21 person's escape from the scene thereof with or without the
22 stolen property:

23 ~~1.~~ a. Commits an assault upon another.

24 ~~2.~~ b. Threatens another with or purposely puts another in
25 fear of immediate serious injury.

26 ~~3.~~ c. Threatens to commit immediately any forcible felony.

27 2. It is immaterial to the question of guilt or innocence of
28 robbery that property was or was not actually stolen.

29 Sec. 206. Section 714.1, subsection 6, Code 2013, is amended
30 to read as follows:

31 6. Makes, utters, draws, delivers, or gives any check,
32 share draft, draft, or written order on any bank, credit
33 union, person, or corporation, and obtains property, the use
34 of property, including rental property, or service in exchange
35 for such instrument, if the person knows that such check, share

1 draft, draft, or written order will not be paid when presented.

2 a. Whenever the drawee of such instrument has refused
3 payment because of insufficient funds, and the maker has not
4 paid the holder of the instrument the amount due thereon within
5 ten days of the maker's receipt of notice from the holder that
6 payment has been refused by the drawee, the court or jury may
7 infer from such facts that the maker knew that the instrument
8 would not be paid on presentation. Notice of refusal of
9 payment shall be by certified mail, or by personal service in
10 the manner prescribed for serving original notices.

11 b. Whenever the drawee of such instrument has refused
12 payment because the maker has no account with the drawee, the
13 court or jury may infer from such fact that the maker knew that
14 the instrument would not be paid on presentation.

15 Sec. 207. Section 714.10, Code 2013, is amended to read as
16 follows:

17 **714.10 Fraudulent practice in the second degree.**

18 1. Fraudulent practice in the second degree is the
19 following:

20 ~~1-~~ a. A fraudulent practice where the amount of money or
21 value of property or services involved exceeds one thousand
22 dollars but does not exceed ten thousand dollars.

23 ~~2-~~ b. A fraudulent practice where the amount of money or
24 value of property or services involved does not exceed one
25 thousand dollars by one who has been convicted of a fraudulent
26 practice twice before.

27 2. Fraudulent practice in the second degree is a class "D"
28 felony.

29 Sec. 208. Section 714.11, Code 2013, is amended to read as
30 follows:

31 **714.11 Fraudulent practice in the third degree.**

32 1. Fraudulent practice in the third degree is the following:

33 ~~1-~~ a. A fraudulent practice where the amount of money or
34 value of property or service involved exceeds five hundred
35 dollars but does not exceed one thousand dollars.

1 ~~2.~~ b. A fraudulent practice as set forth in section 714.8,
2 subsections 2, 8, and 9.

3 ~~3.~~ c. A fraudulent practice where it is not possible to
4 determine an amount of money or value of property and service
5 involved.

6 2. Fraudulent practice in the third degree is an aggravated
7 misdemeanor.

8 Sec. 209. Section 714.16B, Code 2013, is amended to read as
9 follows:

10 **714.16B Identity theft — civil cause of action.**

11 1. In addition to any other remedies provided by law, a
12 person as defined under section 714.16, subsection 1, suffering
13 a pecuniary loss as a result of an identity theft by another
14 person under section 715A.8, or a financial institution on
15 behalf of an account holder suffering a pecuniary loss as a
16 result of an identity theft by another person under section
17 715A.8, may bring an action against such other person to
18 recover all of the following:

19 ~~1.~~ a. Five thousand dollars or three times the actual
20 damages, whichever is greater.

21 ~~2.~~ b. Reasonable costs incurred due to the violation of
22 section 715A.8, including all of the following:

23 ~~a.~~ (1) Costs for repairing the victim's credit history or
24 credit rating.

25 ~~b.~~ (2) Costs incurred for bringing a civil or
26 administrative proceeding to satisfy a debt, lien, judgment, or
27 other obligation of the victim.

28 ~~c.~~ (3) Punitive damages, attorney fees, and court costs.

29 2. For purposes of this section, "*financial institution*"
30 means the same as defined in section 527.2, and includes an
31 insurer organized under Title XIII, subtitle 1, of this Code,
32 or under the laws of any other state or the United States.

33 Sec. 210. Section 714.26, subsection 2, paragraphs a and b,
34 Code 2013, are amended to read as follows:

35 a. (1) A person commits intellectual property

1 counterfeiting in the first degree if any of the following
2 apply:

3 ~~(1)~~ (a) The person is manufacturing or producing an item
4 bearing or identified by a counterfeit mark.

5 ~~(2)~~ (b) The offense involves more than one thousand items
6 bearing or identified by a counterfeit mark or the total retail
7 value of such items is equal to or greater than ten thousand
8 dollars.

9 ~~(3)~~ (c) The offense is a third or subsequent violation of
10 this section.

11 (2) Intellectual property counterfeiting in the first
12 degree is a class "C" felony.

13 b. (1) A person commits intellectual property
14 counterfeiting in the second degree if any of the following
15 apply:

16 ~~(1)~~ (a) The offense involves more than one hundred items
17 but does not involve more than one thousand items bearing or
18 identified by a counterfeit mark or the total retail value of
19 such items is equal to or greater than one thousand dollars but
20 less than ten thousand dollars.

21 ~~(2)~~ (b) The offense is a second violation of this section.

22 (2) Intellectual property counterfeiting in the second
23 degree is a class "D" felony.

24 Sec. 211. Section 715A.6, subsection 1, Code 2013, is
25 amended to read as follows:

26 1. a. A person commits a public offense by using a credit
27 card for the purpose of obtaining property or services with
28 knowledge of any of the following:

29 ~~a.~~ (1) The credit card is stolen or forged.

30 ~~b.~~ (2) The credit card has been revoked or canceled.

31 ~~c.~~ (3) For any other reason the use of the credit card is
32 unauthorized.

33 b. It is an affirmative defense to prosecution under
34 paragraph ~~"e"~~ "a", subparagraph (3), if the person proves by a
35 preponderance of the evidence that the person had the intent

1 and ability to meet all obligations to the issuer arising out
2 of the use of the credit card.

3 Sec. 212. Section 717A.2, subsection 1, paragraph c, Code
4 2013, is amended to read as follows:

5 c. (1) Enter onto or into an animal facility, or remain
6 on or in an animal facility, if the person has notice that the
7 facility is not open to the public, if the person has an intent
8 to do one of the following:

9 ~~{1}~~ (a) Disrupt operations conducted at the animal
10 facility, if the operations directly relate to agricultural
11 production, animal maintenance, educational or scientific
12 purposes, or veterinary care.

13 ~~{2}~~ (b) Kill or injure an animal maintained at the animal
14 facility.

15 (2) A person has notice that an animal facility is not
16 open to the public if the person is provided notice before
17 entering onto or into the facility, or the person refuses to
18 immediately depart from the facility after being informed to
19 leave. The notice may be in the form of a written or verbal
20 communication by the owner, a fence or other enclosure designed
21 to exclude intruders or contain animals, or a sign posted which
22 is reasonably likely to come to the attention of an intruder
23 and which indicates that entry is forbidden.

24 Sec. 213. Section 717A.3, subsection 1, paragraph c, Code
25 2013, is amended to read as follows:

26 c. (1) Enter onto or remain on crop operation property
27 if the person has notice that the property is not open to
28 the public, and the person has an intent to do one of the
29 following:

30 ~~{1}~~ (a) Disrupt agricultural production conducted on the
31 crop operation property if the agricultural production directly
32 relates to the maintenance of crops. A person is presumed to
33 intend disruption if the person moves, removes, or defaces any
34 sign posted on the crop operation property or label used by the
35 owner and the sign or label identifies a crop maintained on the

1 crop operation property.

2 ~~(2)~~ (b) Destroy or damage a crop or any portion of a crop
3 maintained on the crop operation property.

4 (2) A person has notice that a crop operation property
5 is not open to the public if the person is provided notice
6 prohibiting entry before the person enters onto the crop
7 operation property, or the person refuses to immediately
8 depart from the crop operation property after being notified
9 to leave. The notice may be in the form of a written or verbal
10 communication by the owner, a fence or other enclosure designed
11 to exclude intruders, or a sign posted which is reasonably
12 likely to come to the attention of an intruder and which
13 indicates that entry is prohibited.

14 Sec. 214. Section 730.4, subsection 5, Code 2013, is amended
15 to read as follows:

16 5. a. This section may be enforced through a civil action.

17 ~~a.~~ (1) A person who violates this section or who aids
18 in the violation of this section is liable to an aggrieved
19 employee or applicant for employment for affirmative relief
20 including reinstatement or hiring, with or without back pay,
21 or any other equitable relief as the court deems appropriate
22 including attorney fees and court costs.

23 ~~b.~~ (2) When a person commits, is committing, or proposes to
24 commit, an act in violation of this section, an injunction may
25 be granted through an action in district court to prohibit the
26 person from continuing such acts. The action for injunctive
27 relief may be brought by an aggrieved employee or applicant for
28 employment, the county attorney, or the attorney general.

29 b. A person who in good faith brings an action under
30 this subsection alleging that an employer has required or
31 requested a polygraph examination in violation of this section
32 shall establish that sufficient evidence exists upon which a
33 reasonable person could find that a violation has occurred.
34 Upon proof that sufficient evidence exists upon which a finding
35 could be made that a violation has occurred as required under

1 this paragraph, the employer has the burden of proving that the
2 requirements of this section were met.

3 Sec. 215. Section 730.5, subsection 9, paragraph g, Code
4 2013, is amended to read as follows:

5 g. (1) Upon receipt of a confirmed positive alcohol test
6 which indicates an alcohol concentration greater than the
7 concentration level established by the employer pursuant to
8 this section, and if the employer has at least fifty employees,
9 and if the employee has been employed by the employer for
10 at least twelve of the preceding eighteen months, and if
11 rehabilitation is agreed upon by the employee, and if the
12 employee has not previously violated the employer's substance
13 abuse prevention policy pursuant to this section, the written
14 policy shall provide for the rehabilitation of the employee
15 pursuant to subsection 10, paragraph "a", subparagraph (1), and
16 the apportionment of the costs of rehabilitation as provided
17 by this paragraph "g".

18 ~~{1}~~ (a) If the employer has an employee benefit plan, the
19 costs of rehabilitation shall be apportioned as provided under
20 the employee benefit plan.

21 ~~{2}~~ (b) If no employee benefit plan exists and the employee
22 has coverage for any portion of the costs of rehabilitation
23 under any health care plan of the employee, the costs of
24 rehabilitation shall be apportioned as provided by the health
25 care plan with any costs not covered by the plan apportioned
26 equally between the employee and the employer. However, the
27 employer shall not be required to pay more than two thousand
28 dollars toward the costs not covered by the employee's health
29 care plan.

30 ~~{3}~~ (c) If no employee benefit plan exists and the
31 employee does not have coverage for any portion of the costs of
32 rehabilitation under any health care plan of the employee, the
33 costs of rehabilitation shall be apportioned equally between
34 the employee and the employer. However, the employer shall not
35 be required to pay more than two thousand dollars towards the

1 cost of rehabilitation under this subparagraph division.

2 (2) Rehabilitation required pursuant to this paragraph
3 "g" shall not preclude an employer from taking any
4 adverse employment action against the employee during the
5 rehabilitation based on the employee's failure to comply with
6 any requirements of the rehabilitation, including any action
7 by the employee to invalidate a test sample provided by the
8 employee pursuant to the rehabilitation.

9 Sec. 216. Section 730.5, subsection 13, paragraph d, Code
10 2013, is amended to read as follows:

11 d. (1) An employer may use and disclose information
12 concerning the results of a drug or alcohol test conducted
13 pursuant to this section under any of the following
14 circumstances:

15 ~~{1}~~ (a) In an arbitration proceeding pursuant to a
16 collective bargaining agreement, or an administrative agency
17 proceeding or judicial proceeding under workers' compensation
18 laws or unemployment compensation laws or under common or
19 statutory laws where action taken by the employer based on the
20 test is relevant or is challenged.

21 ~~{2}~~ (b) To any federal agency or other unit of the federal
22 government as required under federal law, regulation or order,
23 or in accordance with compliance requirements of a federal
24 government contract.

25 ~~{3}~~ (c) To any agency of this state authorized to license
26 individuals if the employee tested is licensed by that agency
27 and the rules of that agency require such disclosure.

28 ~~{4}~~ (d) To a union representing the employee if such
29 disclosure would be required by federal labor laws.

30 ~~{5}~~ (e) To a substance abuse evaluation or treatment
31 facility or professional for the purpose of evaluation or
32 treatment of the employee.

33 (2) However, positive test results from an employer drug or
34 alcohol testing program shall not be used as evidence in any
35 criminal action against the employee or prospective employee

1 tested.

2 Sec. 217. Section 730.5, subsection 15, Code 2013, is
3 amended to read as follows:

4 15. *Civil remedies.*

5 a. This section may be enforced through a civil action.

6 ~~a.~~ (1) A person who violates this section or who aids
7 in the violation of this section, is liable to an aggrieved
8 employee or prospective employee for affirmative relief
9 including reinstatement or hiring, with or without back pay,
10 or any other equitable relief as the court deems appropriate
11 including attorney fees and court costs.

12 ~~b.~~ (2) When a person commits, is committing, or proposes to
13 commit, an act in violation of this section, an injunction may
14 be granted through an action in district court to prohibit the
15 person from continuing such acts. The action for injunctive
16 relief may be brought by an aggrieved employee or prospective
17 employee, the county attorney, or the attorney general.

18 b. In an action brought under this subsection alleging that
19 an employer has required or requested a drug or alcohol test
20 in violation of this section, the employer has the burden of
21 proving that the requirements of this section were met.

22 Sec. 218. Section 804.22, Code 2013, is amended to read as
23 follows:

24 **804.22 Initial appearance before magistrate — arrest without**
25 **warrant.**

26 1. When an arrest is made without a warrant, the person
27 arrested shall, without unnecessary delay, be taken before
28 the nearest or most accessible magistrate in the judicial
29 district in which such arrest was made or before a magistrate
30 in an approved judicial district, and the grounds on which the
31 arrest was made shall be stated to the magistrate by complaint,
32 subscribed and sworn to by the complainant, or supported by the
33 complainant's affirmation, and such magistrate shall proceed
34 as follows:

35 ~~1.~~ a. If the magistrate believes from such complaint that

1 the offense charged is triable in the magistrate's court, the
2 magistrate shall proceed with the case.

3 ~~2.~~ b. If the magistrate believes from such complaint that
4 the offense charged is triable in another court, the magistrate
5 shall by written order, commit the person arrested to a peace
6 officer, to be taken before the appropriate magistrate in the
7 district in which the offense is triable, and shall fix the
8 amount of bail or other conditions of release which the person
9 arrested may give for the person's appearance at the other
10 court.

11 2. This section and the rules of criminal procedure do
12 not affect the provisions of chapter 805 authorizing the
13 release of a person on citation or bail prior to initial
14 appearance, unless the person is charged with manufacture,
15 delivery, possession with intent to manufacture or deliver, or
16 distribution of methamphetamine. The initial appearance of a
17 person so released shall be scheduled for a time not more than
18 thirty days after the date of release.

19 3. For purposes of this section, an "*approved judicial*
20 *district*" means, as to any particular arrest of a person made
21 without a warrant, any judicial district in this state in
22 which the chief judge of that judicial district and the chief
23 judge of the judicial district in which the arrest was made
24 have previously entered an order permitting a person arrested
25 without warrant to be taken to a magistrate from any judicial
26 district subject to the order.

27 Sec. 219. Section 804.30, Code 2013, is amended to read as
28 follows:

29 **804.30 Strip searches.**

30 1. A person arrested for a scheduled violation or a simple
31 misdemeanor shall not be subjected to a strip search unless
32 there is probable cause to believe the person is concealing a
33 weapon or contraband. A strip search pursuant to this section
34 shall not be conducted except under all of the following
35 conditions:

1 ~~1.~~ a. Written authorization of the supervisor on duty is
2 obtained.

3 ~~2.~~ b. A search warrant is obtained for the probing of any
4 body cavity other than the mouth, ears or nose.

5 ~~3.~~ c. A visual search or probing of any body cavity shall
6 be performed under sanitary conditions. A physical probe of
7 a body cavity other than the mouth, ears or nose shall be
8 performed only by a licensed physician unless voluntarily
9 waived in writing by the arrested person.

10 ~~4.~~ d. The search is conducted in a place where it cannot be
11 observed by persons not conducting the search.

12 ~~5.~~ e. The search is conducted by a person of the same sex
13 as the arrested person, unless conducted by a physician.

14 2. Subsequent to a strip search, a written report shall be
15 prepared which includes the written authorization required by
16 subsection 1, paragraph "a", the name of the person subjected
17 to the search, the names of the persons conducting the search,
18 the time, date and place of the search and, if required by
19 subsection 2 1, paragraph "b", a copy of the search warrant
20 authorizing the search. A copy of the report shall be provided
21 to the person searched.

22 Sec. 220. Section 805.16, subsection 3, Code 2013, is
23 amended to read as follows:

24 3. a. A person arrested pursuant to subsection 2 shall only
25 be arrested for the limited purpose of holding the person in
26 nonsecure custody in an area not intended for secure detention
27 while awaiting transfer to an appropriate juvenile facility
28 or to court, for booking, for implied consent testing, for
29 contacting and release to the person's parents, or for other
30 administrative purposes.

31 b. For purposes of this subsection, "*nonsecure custody*"
32 means custody in an unlocked multipurpose area, such as a
33 lobby, office, or interrogation room which is not designed,
34 set aside, or used as a secure detention area, and the person
35 arrested is not physically secured during the period of custody

1 in the area, the person is physically accompanied by a peace
 2 officer or a person employed by the facility where the person
 3 arrested is being held, and the use of the area is limited to
 4 providing nonsecure custody only long enough for the purposes
 5 stated in ~~the preceding~~ paragraph "a" and not for a period of
 6 time in excess of six hours without the oral or written order
 7 of a judge or magistrate authorizing the detention. A judge
 8 shall not extend the period of time in excess of six hours
 9 beyond the initial six-hour period.

10 Sec. 221. Section 811.2, subsection 1, Code 2013, is amended
 11 to read as follows:

12 1. *Conditions for release of defendant.*

13 a. All bailable defendants shall be ordered released from
 14 custody pending judgment or entry of deferred judgment on their
 15 personal recognizance, or upon the execution of an unsecured
 16 appearance bond in an amount specified by the magistrate unless
 17 the magistrate determines in the exercise of the magistrate's
 18 discretion, that such a release will not reasonably assure the
 19 appearance of the defendant as required or that release will
 20 jeopardize the personal safety of another person or persons.
 21 When such determination is made, the magistrate shall, either
 22 in lieu of or in addition to the above methods of release,
 23 impose the first of the following conditions of release which
 24 will reasonably assure the appearance of the person for trial
 25 or deferral of judgment and the safety of other persons, or, if
 26 no single condition gives that assurance, any combination of
 27 the following conditions:

28 ~~a.~~ (1) Place the defendant in the custody of a designated
 29 person or organization agreeing to supervise the defendant.

30 ~~b.~~ (2) Place restrictions on the travel, association or
 31 place of abode of the defendant during the period of release.

32 ~~c.~~ (3) Require the execution of an appearance bond in a
 33 specified amount and the deposit with the clerk of the district
 34 court or a public officer designated under section 602.1211,
 35 subsection 4, in cash or other qualified security, of a sum not

1 to exceed ten percent of the amount of the bond, the deposit to
2 be returned to the person who deposited the specified amount
3 with the clerk upon the performance of the appearances as
4 required in section 811.6.

5 ~~d.~~ (4) Require the execution of a bail bond with sufficient
6 surety, or the deposit of cash in lieu of bond. However,
7 except as provided in section 811.1, bail initially given
8 remains valid until final disposition of the offense or entry
9 of an order deferring judgment. If the amount of bail is
10 deemed insufficient by the court before whom the offense is
11 pending, the court may order an increase of bail and the
12 defendant must provide the additional undertaking, written or
13 in cash, to secure release.

14 ~~e.~~ (5) Impose any other condition deemed reasonably
15 necessary to assure appearance as required, or the safety of
16 another person or persons including a condition requiring that
17 the defendant return to custody after specified hours, or a
18 condition that the defendant have no contact with the victim or
19 other persons specified by the court.

20 b. Any bailable defendant who is charged with unlawful
21 possession, manufacture, delivery, or distribution of a
22 controlled substance or other drug under chapter 124 and is
23 ordered released shall be required, as a condition of that
24 release, to submit to a substance abuse evaluation and follow
25 any recommendations proposed in the evaluation for appropriate
26 substance abuse treatment. However, if a bailable defendant is
27 charged with manufacture, delivery, possession with the intent
28 to manufacture or deliver, or distribution of methamphetamine,
29 its salts, optical isomers, and salts of its optical isomers,
30 the defendant shall, in addition to a substance abuse
31 evaluation, remain under supervision and be required to undergo
32 random drug tests as a condition of release.

33 Sec. 222. Section 901.3, Code 2013, is amended to read as
34 follows:

35 **901.3 Presentence investigation report.**

1 1. If a presentence investigation is ordered by the court,
2 the investigator shall promptly inquire into all of the
3 following:

4 ~~1.~~ a. The defendant's characteristics, family and financial
5 circumstances, needs, and potentialities.

6 ~~2.~~ b. The defendant's criminal record and social history.

7 ~~3.~~ c. The circumstances of the offense.

8 ~~4.~~ d. The time the defendant has been in detention.

9 ~~5.~~ e. The harm to the victim, the victim's immediate
10 family, and the community. Additionally, the presentence
11 investigator shall provide a victim impact statement form to
12 each victim, if one has not already been provided, and shall
13 file the completed statement or statements with the presentence
14 investigation report.

15 ~~6.~~ f. The defendant's potential as a candidate for the
16 community service sentence program established pursuant to
17 section 907.13.

18 ~~7.~~ g. Any mitigating circumstances relating to the offense
19 and the defendant's potential as a candidate for deferred
20 judgment, deferred sentencing, a suspended sentence, or
21 probation, if the defendant is charged with or convicted of
22 assisting suicide pursuant to section 707A.2.

23 ~~8.~~ h. Whether the defendant has a history of mental
24 health or substance abuse problems. If so, the investigator
25 shall inquire into the treatment options available in both the
26 community of the defendant and the correctional system.

27 2. All local and state mental and correctional
28 institutions, courts, and police agencies shall furnish to
29 the investigator on request the defendant's criminal record
30 and other relevant information. The originating source of
31 specific mental health or substance abuse information including
32 the histories, treatment, and use of medications shall
33 not be released to the presentence investigator unless the
34 defendant authorizes the release of such information. If the
35 defendant refuses to release the information, the presentence

1 investigator may note the defendant's refusal to release mental
 2 health or substance abuse information in the presentence
 3 investigation report and rely upon other mental health or
 4 substance abuse information available to the presentence
 5 investigator. With the approval of the court, a physical
 6 examination or psychiatric evaluation of the defendant may be
 7 ordered, or the defendant may be committed to an inpatient
 8 or outpatient psychiatric facility for an evaluation of the
 9 defendant's personality and mental health. The results of any
 10 such examination or evaluation shall be included in the report
 11 of the investigator.

12 Sec. 223. Section 901.5, unnumbered paragraphs 1 and 2, Code
 13 2013, are amended to read as follows:

14 After receiving and examining all pertinent information,
 15 including the presentence investigation report and victim
 16 impact statements, if any, the court shall consider the
 17 following sentencing options. The court shall determine
 18 which of them is authorized by law for the offense, and of
 19 the authorized sentences, which of them or which combination
 20 of them, in the discretion of the court, will provide maximum
 21 opportunity for the rehabilitation of the defendant, and for
 22 the protection of the community from further offenses by the
 23 defendant and others. At the time fixed by the court for
 24 pronouncement of judgment and sentence, the court shall act
 25 accordingly:

26 ~~At the time fixed by the court for pronouncement of judgment~~
 27 ~~and sentence, the court shall act accordingly.~~

28 Sec. 224. Section 902.9, Code 2013, is amended to read as
 29 follows:

30 **902.9 Maximum sentence for felons.**

31 1. The maximum sentence for any person convicted of a felony
 32 shall be that prescribed by statute or, if not prescribed by
 33 statute, if other than a class "A" felony shall be determined
 34 as follows:

35 ~~1.~~ a. A felon sentenced for a first conviction for a

1 violation of section 124.401D, shall be confined for no more
2 than ninety-nine years.

3 ~~2.~~ b. A class "B" felon shall be confined for no more than
4 twenty-five years.

5 ~~3.~~ c. An habitual offender shall be confined for no more
6 than fifteen years.

7 ~~4.~~ d. A class "C" felon, not an habitual offender, shall
8 be confined for no more than ten years, and in addition shall
9 be sentenced to a fine of at least one thousand dollars but not
10 more than ten thousand dollars.

11 ~~5.~~ e. A class "D" felon, not an habitual offender, shall be
12 confined for no more than five years, and in addition shall be
13 sentenced to a fine of at least seven hundred fifty dollars but
14 not more than seven thousand five hundred dollars.

15 2. The surcharges required by sections 911.1, 911.2, and
16 911.3 shall be added to a fine imposed on a class "C" or class
17 "D" felon, as provided by those sections, and are not a part of
18 or subject to the maximums set in this section.

19 Sec. 225. Section 904.403, Code 2013, is amended to read as
20 follows:

21 **904.403 Investigatory powers — witnesses.**

22 1. The director may exercise the following powers in an
23 investigation:

24 ~~1.~~ a. Summon and compel the attendance of witnesses.

25 ~~2.~~ b. Examine the witnesses under oath, which the director
26 may administer.

27 ~~3.~~ c. Have access to all books, papers, and property
28 material to the investigation.

29 ~~4.~~ d. Order the production of books or papers material to
30 the investigation.

31 2. Witnesses other than those in the employ of the state
32 are entitled to the same fees as in civil cases in the district
33 court.

34 Sec. 226. Section 904.813, subsection 2, Code 2013, is
35 amended to read as follows:

1 2. a. The Iowa state industries revolving fund shall be
2 used only for the following purposes:

3 ~~a.~~ (1) Establishment, maintenance, transfer, or closure of
4 industrial operations, or vocational, technical, and related
5 training facilities and services for inmates as authorized by
6 the state director in consultation with the industries board.

7 ~~b.~~ (2) Payment of all costs incurred by the industries
8 board, including but not limited to per diem and expenses
9 of its members, and of salaries, allowances, support, and
10 maintenance of Iowa state industries.

11 ~~c.~~ (3) Direct purchases from vendors of raw materials and
12 capital items used for the manufacturing processes of Iowa
13 state industries, in accordance with rules which meet state
14 bidding requirements. The rules shall be adopted by the state
15 director in consultation with the industries board.

16 b. Payments from the revolving fund, other than salary
17 payments, shall be made directly to the vendors.

18 Sec. 227. Section 904.905, Code 2013, is amended to read as
19 follows:

20 **904.905 Surrender of earnings.**

21 1. An inmate employed in the community under a work release
22 plan shall surrender to the judicial district department of
23 correctional services the inmate's total earnings less payroll
24 deductions required by law. The judicial district department
25 of correctional services shall deduct from the earnings in the
26 following order of priority:

27 ~~1.~~ a. An amount the inmate may be legally obligated to pay
28 for the support of the inmate's dependents, the amount of which
29 shall be paid to the dependents through the department of human
30 services located in the county or city in which the dependents
31 reside.

32 ~~2.~~ b. Restitution as ordered by the court pursuant to
33 chapter 910.

34 ~~3.~~ c. An amount determined to be the cost to the judicial
35 district department of correctional services for providing

1 food, lodging, and clothing for the inmate while under the
2 program.

3 ~~4.~~ d. Any other financial obligations which are
4 acknowledged by the inmate or any unsatisfied judgment against
5 the inmate.

6 2. Any balance remaining after deductions and payments
7 shall be credited to the inmate's personal account at the
8 judicial district department of correctional services and shall
9 be paid to the inmate upon release. An inmate so employed
10 shall be paid a fair and reasonable wage in accordance with the
11 prevailing wage scale for such work and shall work at fair and
12 reasonable hours per day and per week.

13 Sec. 228. Section 905.12, Code 2013, is amended to read as
14 follows:

15 **905.12 Surrender of earnings.**

16 1. When committing a person to a residential treatment
17 center operated by a judicial district department of
18 correctional services, the court shall order the person to
19 surrender to the district department their total earnings less
20 payroll deductions required by law. The court shall establish
21 the person's legal obligations by order and the district
22 department shall deduct from the earnings to satisfy the court
23 order in the following order of priority:

24 ~~1.~~ a. An amount the resident may be legally obligated to
25 pay for the support of dependents, which shall be paid to the
26 dependents directly or through the department of human services
27 in the county in which the dependents reside. For the purpose
28 of this ~~subsection~~ paragraph, "*legally obligated*" means under
29 a court order.

30 ~~2.~~ b. Restitution ordered by the court under chapter 910.

31 ~~3.~~ c. An amount determined to be the cost to the judicial
32 district department of correctional services for food, lodging,
33 and other expenses incurred by or on behalf of the resident.

34 ~~4.~~ d. Any other financial obligations which are admitted
35 to by the resident or any judgment granted by the court to

1 another person to whom the resident owes money, but no earnings
2 of a resident are subject to garnishment while the person is
3 committed to the center.

4 2. Any balance remaining after deductions and payments
5 shall be credited to the resident's personal account at the
6 district department and shall be paid to the resident upon
7 release. The director shall establish a plan to comply
8 with the provisions of court orders entered pursuant to this
9 section.

10 Sec. 229. Section 906.5, subsection 1, Code 2013, is amended
11 to read as follows:

12 1. a. The board shall establish and implement a plan by
13 which the board systematically reviews the status of each
14 person who has been committed to the custody of the director of
15 the Iowa department of corrections and considers the person's
16 prospects for parole or work release. The board at least
17 annually shall review the status of a person other than a class
18 "A" felon, a class "B" felon serving a sentence of more than
19 twenty-five years, or a felon serving an offense punishable
20 under section 902.9, subsection 1, paragraph "a", or a felon
21 serving a mandatory minimum sentence other than a class "A"
22 felon, and provide the person with notice of the board's parole
23 or work release decision.

24 b. Not less than twenty days prior to conducting a hearing
25 at which the board will interview the person, the board
26 shall notify the department of corrections of the scheduling
27 of the interview, and the department shall make the person
28 available to the board at the person's institutional residence
29 as scheduled in the notice. However, if health, safety, or
30 security conditions require moving the person to another
31 institution or facility prior to the scheduled interview, the
32 department of corrections shall so notify the board.

33 Sec. 230. Section 906.9, Code 2013, is amended to read as
34 follows:

35 **906.9 Clothing, transportation, and money.**

1 1. When an inmate is discharged, paroled, or placed on work
 2 release, the warden or superintendent shall furnish the inmate,
 3 at state expense, appropriate clothing and transportation
 4 to the place in this state indicated in the inmate's
 5 discharge, parole, or work release plan. When an inmate is
 6 discharged, paroled, or placed on work release, the warden or
 7 superintendent shall provide the inmate, at state expense or
 8 through inmate savings as provided in section 904.508, money in
 9 accordance with the following schedule:

10 ~~1.~~ a. Upon discharge or parole, one hundred dollars.

11 ~~2.~~ b. Upon being placed on work release, fifty dollars.

12 2. Those inmates receiving payment under subsection 2
 13 1, paragraph "b", shall not be eligible for payment under
 14 subsection 1, paragraph "a", unless they are returned to the
 15 institution. An inmate shall only be eligible to receive one
 16 payment under this section during any twelve-month period. The
 17 warden or superintendent shall maintain an account of all funds
 18 expended pursuant to this section.

19 Sec. 231. Section 910.4, subsection 3, Code 2013, is amended
 20 to read as follows:

21 3. a. When there is a transfer of supervision from one
 22 office or individual charged with supervision of the offender
 23 to another, the sending office or individual shall forward to
 24 the receiving office or individual all necessary information
 25 regarding the balance owed against the original amount of
 26 restitution ordered and the balance of public service required.

27 b. When the offender's circumstances and income have
 28 significantly changed, the receiving office or individual
 29 shall submit a new plan of payment to the sentencing court for
 30 approval or modification based on the considerations enumerated
 31 in this section.

32 Sec. 232. Section 915.12, subsection 1, Code 2013, is
 33 amended to read as follows:

34 1. A victim may register by filing a written
 35 request-for-registration form with the county attorney. The

1 county attorney shall notify the victims in writing and advise
 2 them of their registration and rights under this subchapter.
 3 The county attorney shall provide a registered victim list to
 4 the offices, agencies, and departments required to provide
 5 information under this subchapter for notification purposes.

6 ~~The county attorney shall provide a registered victim list~~
 7 ~~to the offices, agencies, and departments required to provide~~
 8 ~~information under this subchapter for notification purposes.~~

9 Sec. 233. Section 915.29, Code 2013, is amended to read as
 10 follows:

11 **915.29 Notification of victim of juvenile by department of**
 12 **human services.**

13 1. The department of human services shall notify a
 14 registered victim regarding a juvenile adjudicated delinquent
 15 for a violent crime, committed to the custody of the department
 16 of human services, and placed at the state training school at
 17 Eldora or Toledo, of the following:

18 ~~1-~~ a. The date on which the juvenile is expected to be
 19 temporarily released from the custody of the department of
 20 human services, and whether the juvenile is expected to return
 21 to the community where the registered victim resides.

22 ~~2-~~ b. The juvenile's escape from custody.

23 ~~3-~~ c. The recommendation by the department to consider the
 24 juvenile for release or placement.

25 ~~4-~~ d. The date on which the juvenile is expected to be
 26 released from a facility pursuant to a plan of placement.

27 2. The notification required pursuant to this section
 28 may occur through the automated victim notification system
 29 referred to in section 915.10A to the extent such information
 30 is available for dissemination through the system.

31 Sec. 234. Section 915.38, subsection 1, Code 2013, is
 32 amended to read as follows:

33 1. a. Upon its own motion or upon motion of any party,
 34 a court may protect a minor, as defined in section 599.1,
 35 from trauma caused by testifying in the physical presence of

1 the defendant where it would impair the minor's ability to
 2 communicate, by ordering that the testimony of the minor be
 3 taken in a room other than the courtroom and be televised
 4 by closed-circuit equipment for viewing in the courtroom.
 5 However, such an order shall be entered only upon a specific
 6 finding by the court that such measures are necessary to
 7 protect the minor from trauma. Only the judge, prosecuting
 8 attorney, defendant's attorney, persons necessary to operate
 9 the equipment, and any person whose presence, in the opinion of
 10 the court, would contribute to the welfare and well-being of
 11 the minor may be present in the room with the minor during the
 12 minor's testimony. The judge shall inform the minor that the
 13 defendant will not be present in the room in which the minor
 14 will be testifying but that the defendant will be viewing the
 15 minor's testimony through closed-circuit television.

16 b. During the minor's testimony the defendant shall remain
 17 in the courtroom and shall be allowed to communicate with the
 18 defendant's counsel in the room where the minor is testifying
 19 by an appropriate electronic method.

20 c. In addition, upon a finding of necessity, the court
 21 may allow the testimony of a victim or witness with a mental
 22 illness, an intellectual disability, or other developmental
 23 disability to be taken as provided in this subsection,
 24 regardless of the age of the victim or witness.

25 DIVISION III

26 CONFORMING CHANGES

27 Sec. 235. Section 48A.11, subsection 2, paragraph b, Code
 28 2013, is amended to read as follows:

29 b. The penalty provided by law for submission of a false
 30 voter registration form, which shall be the penalty for perjury
 31 as provided by section 902.9, subsection 5 1, paragraph "e".

32 Sec. 236. Section 124.401, subsection 1, paragraph a,
 33 unnumbered paragraph 1, Code 2013, is amended to read as
 34 follows:

35 Violation of this subsection, with respect to the

1 following controlled substances, counterfeit substances, or
2 simulated controlled substances is a class "B" felony, and
3 notwithstanding section 902.9, subsection 2 1, paragraph "b",
4 shall be punished by confinement for no more than fifty years
5 and a fine of not more than one million dollars:

6 Sec. 237. Section 124.401, subsection 1, paragraph b,
7 unnumbered paragraph 1, Code 2013, is amended to read as
8 follows:

9 Violation of this subsection with respect to the following
10 controlled substances, counterfeit substances, or simulated
11 controlled substances is a class "B" felony, and in addition
12 to the provisions of section 902.9, subsection 2 1, paragraph
13 "b", shall be punished by a fine of not less than five thousand
14 dollars nor more than one hundred thousand dollars:

15 Sec. 238. Section 124.401, subsection 1, paragraph c,
16 unnumbered paragraph 1, Code 2013, is amended to read as
17 follows:

18 Violation of this subsection with respect to the following
19 controlled substances, counterfeit substances, or simulated
20 controlled substances is a class "C" felony, and in addition
21 to the provisions of section 902.9, subsection 4 1, paragraph
22 "d", shall be punished by a fine of not less than one thousand
23 dollars nor more than fifty thousand dollars:

24 Sec. 239. Section 124.401D, subsection 1, paragraph b, Code
25 2013, is amended to read as follows:

26 b. A violation of this subsection is a felony punishable
27 under section 902.9, subsection 1, paragraph "a".

28 Sec. 240. Section 124.401D, subsection 2, paragraph b, Code
29 2013, is amended to read as follows:

30 b. A violation of this subsection is a felony punishable
31 under section 902.9, subsection 1, paragraph "a".

32 Sec. 241. Section 237A.29, subsection 2, paragraph b, Code
33 2013, is amended to read as follows:

34 b. A child care provider that has been found by the
35 department of inspections and appeals in an administrative

1 proceeding or in a judicial proceeding to have obtained, or has
 2 agreed to entry of a civil judgment or judgment by confession
 3 that includes a conclusion of law that the child care provider
 4 has obtained, by fraudulent means, public funding for provision
 5 of child care in an amount equal to or in excess of the minimum
 6 amount for a fraudulent practice in the second degree under
 7 section 714.10, subsection 1, paragraph "a", shall be subject
 8 to sanction in accordance with this subsection. Such child
 9 care provider shall be subject to a period during which receipt
 10 of public funding for provision of child care is conditioned
 11 upon no further violations and to one or more of the following
 12 sanctions as determined by the department of human services:

13 (1) Ineligibility to receive public funding for provision
 14 of child care.

15 (2) Suspension from receipt of public funding for provision
 16 of child care.

17 (3) Special review of the child care provider's claims for
 18 providing publicly funded child care.

19 Sec. 242. Section 692A.101, subsection 1, paragraph a,
 20 subparagraphs (3) and (4), Code 2013, are amended to read as
 21 follows:

22 (3) Sexual abuse in the third degree in violation of section
 23 709.4, subsection 1, paragraph "a".

24 (4) Lascivious acts with a child in violation of section
 25 709.8, subsection 1, paragraph "a" or 2 "b".

26 Sec. 243. Section 692A.101, subsection 2, paragraph a,
 27 subparagraph (3), Code 2013, is amended to read as follows:

28 (3) Sexual abuse in the third degree in violation of section
 29 709.4, except for a violation of section 709.4, subsection 2 1,
 30 paragraph ~~"e"~~ "b", subparagraph ~~(4)~~ (3), subparagraph division
 31 (d).

32 Sec. 244. Section 692A.102, subsection 1, paragraph a,
 33 subparagraphs (2), (3), and (4), Code 2013, are amended to read
 34 as follows:

35 (2) Sexual abuse in the third degree in violation of

1 section 709.4, subsection 1, 3 paragraph "a", "c", or 4 "d", if
2 committed by a person under the age of fourteen.

3 (3) Sexual abuse in the third degree in violation of section
4 709.4, subsection 2 1, paragraph "a" or "b", subparagraph (1) or
5 (2), if committed by a person under the age of fourteen.

6 (4) Sexual abuse in the third degree in violation of section
7 709.4, subsection 2 1, paragraph "c" "b", subparagraph (3).

8 Sec. 245. Section 692A.102, subsection 1, paragraph b,
9 subparagraphs (1) and (3), Code 2013, are amended to read as
10 follows:

11 (1) Lascivious acts with a child in violation of section
12 709.8, subsection 3 1, paragraph "c" or 4 "d".

13 (3) Solicitation of a minor to engage in an illegal act
14 under section 709.8, subsection 3 1, paragraph "c", in violation
15 of section 705.1.

16 Sec. 246. Section 692A.102, subsection 1, paragraph c,
17 subparagraphs (10), (11), and (12), Code 2013, are amended to
18 read as follows:

19 (10) Sexual abuse in the third degree in violation of
20 section 709.4, subsection 1, 3 paragraph "a", "c", or 4 "d", if
21 committed by a person fourteen years of age or older.

22 (11) Sexual abuse in the third degree in violation
23 of section 709.4, subsection 2 1, paragraph "a" or "b",
24 subparagraph (1) or (2), if committed by a person fourteen
25 years of age or older.

26 (12) Lascivious acts with a child in violation of section
27 709.8, subsection 1, paragraph "a" or 2 "b".

28 Sec. 247. Section 692A.121, subsection 2, paragraph b,
29 subparagraph (2), subparagraph division (a), Code 2013, is
30 amended to read as follows:

31 (a) The relevant information about a sex offender who was
32 under twenty years of age at the time the offender committed a
33 violation of section 709.4, subsection 2 1, paragraph "c" "b",
34 subparagraph {4} (3), subparagraph division (d).

35 Sec. 248. Section 702.11, subsection 2, paragraph c, Code

1 2013, is amended to read as follows:

2 *c.* Sexual abuse in violation of section 709.4, subsection
3 2 1, paragraph ~~"e"~~ "b", subparagraph ~~(4)~~ (3), subparagraph
4 division (d).

5 Sec. 249. Section 708.2A, subsection 7, paragraph b, Code
6 2013, is amended to read as follows:

7 *b.* A person convicted of violating subsection 4 shall be
8 sentenced as provided under section 902.9, subsection 5 1,
9 paragraph "e", and shall be denied parole or work release until
10 the person has served a minimum of one year of the person's
11 sentence. Notwithstanding section 901.5, subsections 1, 3, and
12 5 and section 907.3, the person cannot receive a suspended or
13 deferred sentence or a deferred judgment; however, the person
14 sentenced shall receive credit for any time the person was
15 confined in a jail or detention facility following arrest.

16 Sec. 250. Section 708A.2, Code 2013, is amended to read as
17 follows:

18 **708A.2 Terrorism.**

19 A person who commits or attempts to commit an act of
20 terrorism commits a class "B" felony. However, notwithstanding
21 section 902.9, subsection 2 1, paragraph "b", the maximum
22 sentence for a person convicted under this section shall be a
23 period of confinement of not more than fifty years.

24 Sec. 251. Section 716.10, subsection 2, paragraph a, Code
25 2013, is amended to read as follows:

26 *a.* A person commits railroad vandalism in the first degree
27 if the person intentionally commits railroad vandalism which
28 results in the death of any person. Railroad vandalism in the
29 first degree is a class "B" felony. However, notwithstanding
30 section 902.9, subsection 2 1, paragraph "b", the maximum
31 sentence for a person convicted under this section shall be a
32 period of confinement of not more than fifty years.

33 Sec. 252. Section 726.6, subsection 4, Code 2013, is amended
34 to read as follows:

35 4. A person who commits child endangerment resulting in

1 the death of a child or minor is guilty of a class "B" felony.
2 Notwithstanding section 902.9, subsection 2 1, paragraph "b",
3 a person convicted of a violation of this subsection shall be
4 confined for no more than fifty years.

5 Sec. 253. Section 726.6A, Code 2013, is amended to read as
6 follows:

7 **726.6A Multiple acts of child endangerment — penalty.**

8 A person who engages in a course of conduct including three
9 or more acts of child endangerment as defined in section 726.6
10 within a period of twelve months involving the same child or a
11 minor with a mental or physical disability, where one or more
12 of the acts results in serious injury to the child or minor
13 or results in a skeletal injury to a child under the age of
14 four years, is guilty of a class "B" felony. Notwithstanding
15 section 902.9, subsection 2 1, paragraph "b", a person convicted
16 of a violation of this section shall be confined for no more
17 than fifty years.

18 Sec. 254. Section 804.25, Code 2013, is amended to read as
19 follows:

20 **804.25 Bail — discharge.**

21 Any magistrate who receives bail as provided for in sections
22 804.21, subsection 2, and 804.22, subsection 2 1, paragraph "b",
23 shall endorse, on the order of commitment or on the warrant, an
24 order for the discharge from custody of the arrested person,
25 who shall forthwith be discharged, and shall transmit by mail,
26 or otherwise, as soon as it can be conveniently done, to the
27 court at which the person is bound to appear, the affidavits,
28 order of commitment or warrant, and discharge, together with
29 the undertaking of bail.

30 Sec. 255. Section 811.1, subsections 1 and 2, Code 2013, are
31 amended to read as follows:

32 1. A defendant awaiting judgment of conviction and
33 sentencing following either a plea or verdict of guilty of a
34 class "A" felony; forcible felony as defined in section 702.11;
35 any class "B" felony included in section 462A.14 or 707.6A; any

1 felony included in section 124.401, subsection 1, paragraph
2 "a" or "b"; a second or subsequent offense under section
3 124.401, subsection 1, paragraph "c"; any felony punishable
4 under section 902.9, subsection 1, paragraph "a"; any public
5 offense committed while detained pursuant to section 229A.5;
6 or any public offense committed while subject to an order of
7 commitment pursuant to chapter 229A.

8 2. A defendant appealing a conviction of a class "A"
9 felony; forcible felony as defined in section 702.11; any class
10 "B" or "C" felony included in section 462A.14 or 707.6A; any
11 felony included in section 124.401, subsection 1, paragraph
12 "a" or "b"; or a second or subsequent conviction under section
13 124.401, subsection 1, paragraph "c"; any felony punishable
14 under section 902.9, subsection 1, paragraph "a"; any public
15 offense committed while detained pursuant to section 229A.5;
16 or any public offense committed while subject to an order of
17 commitment pursuant to chapter 229A.

18 Sec. 256. Section 811.10, unnumbered paragraph 1, Code
19 2013, is amended to read as follows:

20 When a defendant is admitted to bail by means of a surety
21 bail bond pursuant to section 811.2, subsection 1, paragraph
22 ~~"d"~~, "a", subparagraph (4), the obligation of surety shall be
23 discharged, and the surety released, upon any of the following
24 conditions:

25 Sec. 257. Section 901.2, unnumbered paragraph 2, Code 2013,
26 is amended to read as follows:

27 The court shall not order a presentence investigation when
28 the offense is a class "A" felony. If, however, the board of
29 parole determines that the Iowa medical and classification
30 center reception report for a class "A" felon is inadequate,
31 the board may request and shall be provided with additional
32 information from the appropriate judicial district department
33 of correctional services. The court shall order a presentence
34 investigation when the offense is any felony punishable under
35 section 902.9, subsection 1, paragraph "a", or a class "B",

1 class "C", or class "D" felony. A presentence investigation
2 for any felony punishable under section 902.9, subsection 1,
3 paragraph "a", or a class "B", class "C", or class "D" felony
4 shall not be waived. The court may order, with the consent of
5 the defendant, that the presentence investigation begin prior
6 to the acceptance of a plea of guilty, or prior to a verdict
7 of guilty. The court may order a presentence investigation
8 when the offense is an aggravated misdemeanor. The court may
9 order a presentence investigation when the offense is a serious
10 misdemeanor only upon a finding of exceptional circumstances
11 warranting an investigation. Notwithstanding section 901.3, a
12 presentence investigation ordered by the court for a serious
13 misdemeanor shall include information concerning only the
14 following:

15 Sec. 258. Section 901.5A, subsection 1, unnumbered
16 paragraph 1, Code 2013, is amended to read as follows:

17 A defendant sentenced by the court to the custody of the
18 director of the department of corrections for an offense
19 punishable under section 902.9, subsection 1, paragraph "a",
20 may have the judgment and sentence entered under section 901.5
21 reopened for resentencing if the following apply:

22 Sec. 259. Section 901.10, subsection 3, Code 2013, is
23 amended to read as follows:

24 3. A court sentencing a person for the person's first
25 conviction under section 124.401D may, at its discretion,
26 sentence the person to a term less than the maximum term
27 provided under section 902.9, subsection 1, paragraph "a", if
28 mitigating circumstances exist and those circumstances are
29 stated specifically in the record. However, the court shall
30 not grant any reduction of sentence unless the defendant pleads
31 guilty. If the defendant pleads guilty, the court may, at its
32 discretion, reduce the maximum sentence by up to one-third. If
33 the defendant cooperates in the prosecution of other persons
34 involved in the sale or use of controlled substances, and
35 if the prosecutor requests an additional reduction in the

1 defendant's sentence because of such cooperation, the court may
2 grant a further reduction in the defendant's maximum sentence.

3 Sec. 260. Section 902.14, subsection 1, paragraph c, Code
4 2013, is amended to read as follows:

5 c. Lascivious acts with a child in violation of section
6 709.8, subsection 1, paragraph "a" or 2 "b".

7 DIVISION IV

8 DIRECTIVES

9 Sec. 261. CODE EDITOR DIRECTIVES.

10 1. Sections 554.1201, subsection 2, paragraph "p";
11 554.2210, subsection 3; 554.3104, subsection 1, paragraph "c";
12 554.3104, subsections 6, 8, and 9; 554.3106, subsections 1
13 and 2; 554.3108, subsections 1 and 2; 554.3109, subsection
14 2; 554.3112, subsection 1; 554.3204, subsection 1; 554.3206,
15 subsection 3, unnumbered paragraph 1; 554.3302, subsection
16 1, paragraph "b"; 554.3302, subsections 3 and 5; 554.3307,
17 subsection 2; 554.3310, subsection 3; 554.3312, subsection
18 2, unnumbered paragraph 1; 554.3312, subsection 3; 554.3402,
19 subsection 2, paragraph "b"; 554.3404, subsection 2, unnumbered
20 paragraph 1; 554.3404, subsection 3; 554.3405, subsection 3;
21 554.3407, subsections 1 and 3; 554.3411, subsections 2 and
22 3; 554.3414, subsections 2 and 6; 554.3415, subsection 1;
23 554.3417, subsection 1, unnumbered paragraph 1; 554.3417,
24 subsection 4, unnumbered paragraph 1; 554.3418, subsections
25 1 and 2; 554.3419, subsection 4; 554.3420, subsection 1;
26 554.3502, subsection 2, paragraph "c"; 554.3503, subsections 1
27 and 3; 554.3504, subsections 1 and 2; 554.3602, subsection 1;
28 554.3602, subsection 2, paragraph "a"; 554.4106, subsections
29 1 and 2; 554.4109, subsection 2; 554.4207, subsection 2;
30 554.4208, subsection 1, unnumbered paragraph 1; 554.4208,
31 subsections 2 and 4; 554.4215, subsection 5, unnumbered
32 paragraph 1; 554.5102, subsection 1, paragraphs "f" and "k";
33 554.5109, subsection 1, paragraph "a"; 554.5116, subsection 3;
34 554.8301, subsection 1, paragraph "c"; 554.8403, subsection
35 2, unnumbered paragraph 1; 554.13303, subsections 2 and 3;

1 554.13303, subsection 4, paragraph "b"; 554.13308, subsection
 2 2; 554.13309, subsection 8; 554.13310, subsection 5; 554.13518,
 3 subsection 2; 554.13529, subsection 1, paragraphs "a" and "b";
 4 and 554.13531, subsection 1, unnumbered paragraph 1, Code
 5 2013, are amended by striking nonconforming Code subparagraph
 6 subdivision references from within section text.

7 2. Sections 554.3119, 554.3301, 554.3401, 554.3412,
 8 554.3413, and 554.13105, Code 2013, are amended by striking
 9 nonconforming Code subparagraph subdivision references from
 10 within section text.

11 3. The Code editor is directed to number, renumber,
 12 designate, or redesignate to eliminate unnumbered paragraphs
 13 within sections 556D.2, 557B.5, 557B.6, 558.60, 562A.18,
 14 564A.6, 573.18, 573A.7, 592.3, 596.8, 598.25, 600B.31A,
 15 602.10141, 637.606, 654.12B, 703.5, and 704.11, Code 2013, in
 16 accordance with established Code section hierarchy and correct
 17 internal references in the Code and in any enacted Iowa Acts,
 18 as necessary.

19 4. The Code editor is directed to number, renumber,
 20 designate, or redesignate to eliminate unnumbered paragraphs
 21 within sections 558.58, subsection 1; 562A.12, subsections 3
 22 and 5; 562B.13, subsection 6; 573.12, subsection 1; 573.12,
 23 subsection 2, paragraph "b"; 598.13, subsection 1; 598.22A,
 24 subsection 1; 600.9, subsection 2; 600A.6, subsection 2;
 25 602.1401, subsection 3; 602.6105, subsection 3, paragraph "b";
 26 602.9105, subsection 1, paragraph "b"; 602.9107, subsections 2
 27 and 3; 614.17A, subsection 2; 614.22, subsection 2; 624.24A,
 28 subsection 3; 627.6, subsection 15; 631.13, subsection 4,
 29 paragraph "a"; 631.14, subsection 2; 633.123A, subsection
 30 1; 633.356, subsections 3, 4, 6, and 7; 633D.10, subsection
 31 3; 654.15, subsection 1; 657.11, subsection 3, paragraph
 32 "a"; 657A.10A, subsection 1; 669.14, subsection 11; 692.2,
 33 subsection 6; 714.16A, subsection 1; 717B.5, subsection 2;
 34 809A.6, subsection 4; 809A.7, subsection 5; 809A.9, subsection
 35 1; 809A.12, subsection 3; 904.116, subsection 2; 904.201,

1 subsection 3; 904.503, subsection 1; and 904.809, subsection 5,
2 paragraph "a", Code 2013, in accordance with established Code
3 section hierarchy and correct internal references in the Code
4 and in any enacted Iowa Acts, as necessary.

5 5. The Code editor is directed to redesignate within
6 section 327F.39, subsection 1, paragraphs "a" through "c" to
7 place the definitions in alphabetical order and correct any
8 internal references in the Code and in any enacted Iowa Acts,
9 as necessary.